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LEGISLATIVE HISTORY
Public Law 90-520
S. 3687

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INDEX AND SUMMARY OF S. 3687

June	20, 1968	Rep. Miller introduced H. R. 18033 which was referred to House Agriculture Committee. Print of bill as introduced.
June	26, 1968	Sen. Lausche introduced and discussed S. 3687 which was referred to Senate Agriculture and Forestry Committee. Print of bill as introduced and remarks of author.
July	10, 1968	Senate committee voted to report S. 3687.
July	11, 1968	Senate committee reported S. 3687 without amendment. Senate Report 1379. Print of bill and report.
July	19, 1968	Senate passed S. 3687 without amendment.
July	22, 1968	S. 3687 was referred to House Agriculture Committee. Print of bill as referred.
July	23, 1968	House subcommittee approved H. R. 18033 for full committee consideration.
July	25, 1968	House committee voted to report H. R. 18033.
Aug.	2, 1968	House committee reported H. R. 18033 without amendment. House Report 1847. Print of bill and report.
Sept.	16, 1968	House passed S. 3687 without amendment, in lieu of H. R. 18033. H. R. 18033 was tabled due to passage of S. 3687.
Sept.	26, 1968	Approved: Public Law 90-520.

DIGEST OF PUBLIC LAW 90-520

RELEASE OF CONDITION IN CONVEYANCE TO OHIO. Directs the Secretary of Agriculture to release a condition in a conveyance to Ohio requiring the lands to be used for public purposes, provided the State agrees to exchange such lands for lands of approximately comparable value and that the lands acquired by such exchange shall be used for public purposes. Requires the Secretary of the Interior upon application to convey the mineral interests to Ohio at fair market value (or \$1 per application if of only nominal value).

90TH CONGRESS
2D SESSION

H. R. 18033

IN THE HOUSE OF REPRESENTATIVES

JUNE 20, 1968

Mr. MILLER of Ohio introduced the following bill; which was referred to the
Committee on Agriculture

A BILL

To direct the Secretary of Agriculture to release on behalf of
the United States a condition in a deed conveying certain
lands to the State of Ohio, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, notwithstanding the provisions of subsection (c) of
4 section 32 of the Bankhead-Jones Farm Tenant Act, as
5 amended (7 U.S.C. 1011 (c)), the Secretary of Agricul-
6 ture is authorized and directed to release on behalf of the
7 United States with respect to lands designated pursuant to
8 section 2 hereof, the condition in a deed dated January 30,
9 1957, conveying lands in the State of Ohio to the State of
10 Ohio, which requires that the lands so conveyed be used for

1 public purposes and provides for a reversion of such lands to
2 the United States if at any time they cease to be so used.

3 SEC. 2. The Secretary shall release the condition re-
4 ferred to in the first section of this Act only with respect to
5 lands covered by and described in an agreement or agree-
6 ments entered into between the Secretary and the State of
7 Ohio or an authorized agency of the State in which such
8 State or agency, in consideration of the release of such con-
9 dition as to such lands, agrees that the lands with respect to
10 which such condition is released shall be exchanged for
11 lands of approximately comparable value and that the lands
12 so acquired by exchange shall be used for public purposes.

13 SEC. 3. Upon application all the undivided mineral inter-
14 ests of the United States in any parcel or tract of land
15 released pursuant to this Act from the condition as to such
16 lands shall be conveyed to the State of Ohio for the use and
17 benefit of the State by the Secretary of the Interior. In areas
18 where the Secretary of the Interior determines that there is
19 no active mineral development or leasing, and that the lands
20 have no mineral value, the mineral interests covered by a
21 single application shall be sold for a consideration of \$1. In
22 other areas the mineral interests shall be sold at the fair
23 market value thereof as determined by the Secretary of the
24 Interior after taking into consideration such appraisals as he
25 deems necessary or appropriate.

1 SEC. 4. Each application made under the provisions of
2 section 3 of this Act shall be accompanied by a nonrefundable
3 deposit to be applied to the administrative costs as fixed by
4 the Secretary of the Interior. If the conveyance is made, the
5 applicant shall pay to the Secretary of the Interior the full
6 administrative costs, less the deposit. If a conveyance is not
7 made pursuant to an application filed under this Act, the
8 deposit shall constitute full satisfaction of such administrative
9 costs notwithstanding that the administrative costs exceed
10 the deposit.

11 SEC. 5. The term "administrative costs" as used in this
12 Act includes, in addition to other items, all costs which the
13 Secretary of the Interior determines are included in a de-
14 termination of (1) the mineral character of the land in
15 question, and (2) the fair market value of the mineral
16 interest.

17 SEC. 6. Amounts paid to the Secretary of the Interior
18 under the provisions of this Act shall be paid into the
19 Treasury of the United States as miscellaneous receipts.

A BILL

To direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain lands to the State of Ohio, and for other purposes.

By Mr. MULLER of Ohio

JUNE 20, 1968

Referred to the Committee on Agriculture

90TH CONGRESS
2D SESSION

S. 3687

IN THE SENATE OF THE UNITED STATES

JUNE 26, 1968

Mr. LAUSCHE introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain lands to the State of Ohio, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, notwithstanding the provisions of subsection (c) of
4 section 32 of the Bankhead-Jones Farm Tenant Act, as
5 amended (7 U.S.C. 1011 (c)), the Secretary of Agricul-
6 ture is authorized and directed to release on behalf of the
7 United States with respect to lands designated pursuant to
8 section 2 hereof, the condition in a deed dated January 30,
9 1957, conveying lands in the State of Ohio to the State of
10 Ohio, which requires that the lands so conveyed be used for

1 public purposes and provides for a reversion of such lands to
2 the United States if at any time they cease to be so used.

3 SEC. 2. The Secretary shall release the condition re-
4 ferred to in the first section of this Act only with respect to
5 lands covered by and described in an agreement or agree-
6 ments entered into between the Secretary and the State of
7 Ohio or an authorized agency of the State in which such
8 State or agency, in consideration of the release of such con-
9 dition as to such lands, agrees that the lands with respect to
10 which such condition is released shall be exchanged for
11 lands of approximately comparable value and that the lands
12 so acquired by exchange shall be used for public purposes.

13 SEC. 3. Upon application all the undivided mineral inter-
14 ests of the United States in any parcel or tract of land
15 released pursuant to this Act from the condition as to such
16 lands shall be conveyed to the State of Ohio for the use and
17 benefit of the State by the Secretary of the Interior. In areas
18 where the Secretary of the Interior determines that there is
19 no active mineral development or leasing, and that the lands
20 have no mineral value, the mineral interests covered by a
21 single application shall be sold for a consideration of \$1. In
22 other areas the mineral interests shall be sold at the fair
23 market value thereof as determined by the Secretary of the
24 Interior after taking into consideration such appraisals as he
25 deems necessary or appropriate.

1 SEC. 4. Each application made under the provisions of
2 section 3 of this Act shall be accompanied by a nonrefundable
3 deposit to be applied to the administrative costs as fixed by
4 the Secretary of the Interior. If the conveyance is made, the
5 applicant shall pay to the Secretary of the Interior the full
6 administrative costs, less the deposit. If a conveyance is not
7 made pursuant to an application filed under this Act, the
8 deposit shall constitute full satisfaction of such administrative
9 costs notwithstanding that the administrative costs exceed
10 the deposit.

11 SEC. 5. The term "administrative costs" as used in this
12 Act includes, in addition to other items, all costs which the
13 Secretary of the Interior determines are included in a de-
14 termination of (1) the mineral character of the land in
15 question, and (2) the fair market value of the mineral
16 interest.

17 SEC. 6. Amounts paid to the Secretary of the Interior
18 under the provisions of this Act shall be paid into the
19 Treasury of the United States as miscellaneous receipts.

A BILL

To direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain lands to the State of Ohio, and for other purposes.

By Mr. LAUSCHE

JUNE 26, 1968

Read twice and referred to the Committee on
Agriculture and Forestry

Sec. 8. There is authorized to be appropriated such sums as may be necessary but not to exceed \$10,000,000, to carry out the provisions of this Act.

S. 3687—INTRODUCTION OF BILL TO DIRECT THE SECRETARY OF AGRICULTURE TO RELEASE A CONDITION IN A DEED CONVEYING CERTAIN LANDS TO THE STATE OF OHIO

Mr. LAUSCHE. Mr. President, I introduce, for appropriate reference, a bill to direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain lands to the State of Ohio, and for other purposes.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3687) to direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain lands to the State of Ohio, and for other purposes, introduced by Mr. LAUSCHE, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. LAUSCHE. Mr. President, enactment of this legislation would permit a very advantageous land exchange now being considered between the State of Ohio, Department of Natural Resources, and the Mead Paper Co., of Chillicothe, Ohio. The State land involved is the 5,252 acre Raccoon State Forest in southern Vinton County for which the Mead company is offering to exchange a comparable acreage adjacent to the east side of the 18,000 acre Zaleski State Forest. This would permit the concentration of State forest ownership in Vinton County into one large forest, reducing operational costs while permitting the Mead company to consolidate their holdings in southern Vinton County.

A more important and pressing matter is that 700 acres of the land the Mead company is offering for exchange lie within the Big Sandy Run drainage into Lake Hope where the department of natural resources presently has a major land acquisition program underway. The department of natural resources is acquiring the entire watershed so as to be in a position to alleviate the flow of acid water from abandoned underground mines into the lake. This acid pollution has reduced Lake Hope to an almost sterile body of water which the department hopes to rejuvenate through mine plugging and water-flow control. The department will be applying for some aid through current Federal water pollution control and mine drainage programs, but also realizes that considerable local funds and effort will be involved in making this a successful program.

The current deterrent to finalizing this land exchange is a reverter clause in the deed by which the Department of Natural Resources acquired the Raccoon Forrest land. It was originally purchased by the U.S. Government during the L. U. program of 1938, through 1940, and was deeded to the State of Ohio in 1957 to be used for public purposes. If not so used, it is to revert to Federal ownership. In discussions with the U.S. Forest Service,

it was determined that the removal of the reverter clause, with which the Forest Service has indicated it is in agreement, would have to be accomplished through legislation in the Congress.

The subject bill is introduced for that purpose. A companion bill has been introduced in the House of Representatives by Congressman CLARENCE E. MILLER from the 10th District, Ohio.

S. 3688—INTRODUCTION OF BILL TO PROVIDE FOR PAYMENTS ON CERTAIN OUTSTANDING BONDS OR OTHER OBLIGATIONS SECURED BY LANDS ACQUIRED FOR FEDERAL RECLAMATIONS PROJECTS

Mr. JACKSON. Mr. President, I introduce, for appropriate reference, a bill to provide for payments on certain outstanding bonds or other obligations secured by lands acquired for Federal reclamation projects.

When lands are acquired by the Bureau of Reclamation for the construction, operation, and maintenance of water resource developments, the right-of-way acquisition procedures provide for equitable payment to landowners and for the relocation of utilities as project costs. However, situations have arisen where portions of the distribution system service areas of water agencies have been included in such land acquisitions. The Secretary of the Interior presently has an authority to reimburse the agency for increased costs of operation and maintenance occasioned by the change in service area. Furthermore, the Secretary has no authority to compensate the agency for its loss in revenues used to make payments on bonds or other obligations outstanding at the time of acquisition and secured by the land which has been taken.

As a result, the remaining water users in the service area are faced with the unanticipated increased cost. The bill which I am introducing today would provide the authority for the Secretary to make equitable compensation for these costs of right-of-way acquisition.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3688) to provide for payments on certain outstanding bonds or other obligations secured by lands acquired for Federal reclamation projects and for other purposes, introduced by Mr. JACKSON, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 3689—INTRODUCTION OF BILL TO AUTHORIZE THE ADDITION OF CERTAIN FEDERAL RECLAMATION PROJECTS IN THE PACIFIC NORTHWEST

Mr. JACKSON. Mr. President, on behalf of myself and a number of colleagues, I introduce, for appropriate reference, a bill to authorize the addition of certain Federal reclamation projects in the Pacific Northwest to participate in assistance from the Federal Columbia River power system, and for other purposes.

The act of June 14, 1966 (80 Stat. 200), included a provision that reclamation projects authorized after the passage of the act might receive repayment assistance from net revenues derived from the marketing of commercial power through the Federal Columbia River power system. This assistance returns to the Treasury the portion of the costs allocated to the irrigation purpose which are in excess of the repayment ability of the irrigation water users.

There are a number of older irrigation projects existing in the Pacific Northwest which were authorized and constructed many years before repayment assistance from power revenues was being made available. It was originally anticipated that the irrigators would be able to repay the project costs within the customary repayment periods.

For a variety of reasons, chiefly the impact of the depression of the early 1930's, the repayment schedules could not be realized. The water users are now making payments to the extent of their ability, but the repayment contracts have been amended to extend the repayment periods beyond the 50-year period which is usual.

The bill which I am introducing today would make repayment assistance from the Federal Columbia River power system available to these older projects. If this is done, the repayment contracts can be amended to 50-year terms which will place these projects on a par with the newer projects which are being authorized under current policies.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3689) to authorize the addition of certain Federal reclamation projects in the Pacific Northwest to participate in assistance from the Federal Columbia River power system, and for other purposes, introduced by Mr. JACKSON (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 3691—INTRODUCTION OF BILL ENTITLED "FEDERAL GUN REGISTRATION AND LICENSING ACT OF 1968"

Mr. DODD. Mr. President, I have been asked by the administration to introduce a bill which it is submitting for the consideration of Congress, calling for the registration of all firearms and the licensing of owners.

I therefore now introduce this bill with the request that it be printed and referred to the appropriate committees of the Senate.

Congress has already enacted a bill which brings the sale of handguns under strict Federal controls.

A second bill, which I introduced at the request of the administration and which provides for similar Federal controls over the sale of long guns and ammunition, is now under consideration by committees of the House and Senate.

There is, however, a very widespread feeling that further steps in the field of gun legislation are essential.

Control over the future sale of guns solves only a part of the problem.

It is estimated that there may be as many as 200,000,000 guns of all kinds distributed all around our country, a figure which is the equivalent of one gun for every man, woman, and child.

The great majority of our gunowners are responsible law-abiding citizens. On the other hand, there is absolutely no question but that some millions of guns—there is no way of knowing exactly how many—are owned by criminal elements, alcoholics, drug addicts, juveniles, men with mental records, and other dangerous and irresponsible elements.

The task of disarming all those whose ownership of firearms constitutes a menace to society will not be an easy one. But a beginning has to be made. The first thing we have to do, obviously, is to identify all firearms and to find out who owns them. This can only be done by compulsory registration.

From the 30,000 letters I have received in my office and from numerous conversations with my colleagues and with government officials, I am convinced that there is overwhelming sentiment for such registration.

Moreover, a growing number of people have come to the conclusion that, in addition to registration, all gunowners should be required to obtain a license.

The measure which I have introduced on behalf of the administration, as I have pointed out, provides for both registration and licensing.

This bill will now go to the appropriate committees. A number of similar measures, the details of which vary somewhat from one bill to the other, are also under consideration in committee.

Testimony bearing on all of these measures will be taken in the course of the hearings which the Subcommittee on Juvenile Delinquency opened this morning.

It is my hope and belief that the committees will be able to move to the consideration of this new legislation as soon as the current hearings are completed, and that Congress, before the close of this session, will enact legislation establishing effective control over the ownership as well as the sale of firearms.

In 1966 there were 6,500 gun murders in the United States.

Two days ago, Mr. J. Edgar Hoover informed us that the figure for 1967 had risen to 7,700, an increase of almost 20 percent.

He also informed us that during 1967 guns figured in 71,000 robberies and 55,000 cases of aggravated assault. Again the figures for last year were substantially greater than for the previous year.

Clearly this trend has to be reversed. And that is what the legislation before Congress is all about.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3691) to amend title 18, United States Code, to protect the people of the United States against the lawlessness and irresponsible use of firearms, and to assist in the prevention and solution of crime by requiring a national

registration of firearms, establishing minimum licensing standards for the possession of firearms, and encouraging the enactment of effective State and local firearms laws, and for other purposes, introduced by Mr. Dobb (for himself and other Senators), by request, was received, read twice by its title, and referred to the Committee on the Judiciary.

S. 3695—INTRODUCTION OF BILL PROPOSING AN AMENDMENT TO SECURITIES ACT OF 1933, LIBERALIZING REGULATION A EXEMPTION

Mr. SPARKMAN. Mr. President, I introduce, for appropriate reference, a bill to increase from \$300,000 to \$500,000 the maximum size of a public offering of securities which the Securities and Exchange Commission is authorized to exempt under section 3(b) of the Securities Act of 1933.

Section 3(b), as originally enacted in 1933, authorized the Commission to exempt certain classes of securities where the total offering price to the public did not exceed \$100,000. The act was amended in 1945 to raise the limitation to \$300,000. The legislative history of that amendment indicates that the primary reason for the increase was the desire of Congress to aid small business in raising necessary funds for commencement of business or expansion and it considered that \$100,000 would in many cases be an inadequate amount for the accomplishment of such objectives in view of the generally increased costs in doing business in 1945 as compared with those costs at the time of the passage of the act in 1933.

Individual Members of Congress and persons in the financial community have suggested on numerous occasions the desirability of a further increase in the limitation found in section 3(b). When the act was amended in 1954, the Senate version of the amendments would have raised the ceiling to \$500,000. However, this provision was deleted from the final legislation. Further attempts to raise the ceiling since that time have met with no success.

In the 23 years since the last amendment costs have continued to rise throughout the economy, with the result that \$300,000 has substantially less purchasing power today.

This seems to me therefore to be an appropriate time for Congress to reexamine the present statutory ceiling to determine what, if any, increase may be required in order for this exemption to fulfill its original purpose.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3695) to amend section 3(b) of the Securities Act of 1933 to permit the exemption of security issues, not exceeding \$500,000 in aggregate amount, from the provisions of such act, introduced by Mr. SPARKMAN (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Banking and Currency.

S. 3699—INTRODUCTION OF BILL TO PERMIT THE STATES TO PURCHASE MEDICARE HOSPITAL INSURANCE PROTECTION FOR STATE AND LOCAL EMPLOYEES UNDER RETIREMENT SYSTEMS

Mr. RIBICOFF. Mr. President, I introduce, for appropriate reference, a bill to permit the States to purchase medicare hospital insurance protection for State and local employees under retirement systems.

Mr. President, 20 million Americans are currently enrolled in the hospital insurance program under medicare. They are receiving from 15 to 20 percent more in hospital services than in previous years. The lives of our older citizens have been improved and prolonged because of these services.

But all of our older Americans do not share in these benefits. Hundreds of thousands of teachers and other State and local employees in a dozen States across the Nation are not covered and will not be covered by medicare. These are employees who are not covered by social security but are covered instead by State and local retirement plans.

My own State of Connecticut, for example, has an excellent retirement system for its teachers and other governmental employees, but they are not covered by social security. My bill would allow the State of Connecticut, or any other State, to purchase hospital insurance for persons over 65 who have retired under a State or local retirement system. It would also allow the States to purchase coverage for their wives, husbands, widows, or widowers over 65 who do not qualify for protection under the present law.

This bill is similar to my amendment which was approved by the Senate Finance Committee last year and passed by the Senate as part of the Social Security Amendments of 1967, but which was not accepted by the House that time.

I am particularly concerned about this gap in medicare's hospital insurance coverage because among those excluded are almost 700,000 public school teachers across the Nation. These are teachers who have devoted their lives to educating the children in a dozen States across the Nation—States which have excellent retirement systems but they will be excluded from medicare's hospital insurance. My amendment will allow a State to cover these employees.

The present method has failed to provide protection for a large number of State and local government employees. Under my bill the States and localities could make sure that all persons under a State or local government retirement system and their qualified dependents will have hospital insurance protection by purchasing this protection on a coverage group basis.

It will be up to the States to pay the cost of the program. It will not cost the social security medicare trust fund a penny. A State which elects to participate will reimburse the fund for all benefits paid plus all administrative expenses, but its employees will get the

July 10, 1968

10. ELECTRIFICATION; RECREATION. Reps. Goodling and Eshleman commended the Holtwood hydroelectric project on the Susquehanna River in Pa. as a great recreational potential. pp. H6307-8
11. FARM PROGRAM. Rep. Kleppe inserted a copy of his letter to House Members commending the farm bill and urging their "thoughtful consideration." p. H6308
12. FOREIGN AID. Rep. Gonzalez spoke in support of the President's foreign aid program. p. H6308
Rep. Matsunaga stated in considering the foreign aid bill the House should consider "the impact of the foreign aid program upon the peoples of developing nations" and inserted an article, "Still Much To Be Done in Agriculture Aid." pp. H6316-18

SENATE

13. APPROPRIATIONS. The Appropriations Committee reported with amendments July 9, during adjournment, H. R. 17023, the independent offices and HUD appropriation bill (S. Rept. 1375). p. S8342
A subcommittee of the Appropriations Committee approved for full committee consideration H. R. 18188, the Department of Transportation appropriation bill. p. D657
14. LANDS. Passed without amendment H. R. 16065, to direct the Secretary of Agriculture to release certain conditions in deeds conveying lands to Iowa (p. S8391). This bill will now be sent to the President.
The Interior and Insular Affairs Committee reported with amendments S. 1385, relating to the disposition by the Secretary of the Interior of moneys obtained from the sale of materials from public lands (S. Rept. 1376). p. S8342
The Agriculture and Forestry Committee voted to report (but did not actually report) the following bills: ~~S. 3578, to authorize release of a condition in a deed conveying certain lands to S. C. (amended);~~ S. 3687, to authorize release of a condition in a deed conveying certain lands to Ohio; and S. 3736, to authorize the sale to Central, N. Mex., of certain lands which were formerly part of the Fort Bayard Military Reservation. p. D656
Sen. Jackson announced a hearing on legislation dealing with Alaska native land claims will be held before the Interior and Insular Affairs Committee on Fri., July 12, in Room 3110, New Senate Office Building. p. S8346
15. WILDERNESS. Passed as reported S. 3502, to designate certain lands in the Seney, Huron Islands, and Michigan Islands National Wildlife Refuges in Michigan, the Gravel Island and Green Bay National Wildlife Refuges in Wisconsin, and the Moosehorn National Wildlife Refuge in Maine, as wilderness. pp. S8340-1
Passed as reported S. 3425, to designate certain lands in the Monomoy National Wildlife Refuge Barnstable County, Mass., as wilderness. pp. S8339-40
Passed as reported S. 3379, to designate certain lands in the Great Swamp National Wildlife Refuge, Morris County, N. J., as wilderness. p. S8339
Passed as reported S. 3343, to designate certain lands in the Pelican Island National Wildlife Refuge, Indian River County, Fla., as wilderness. pp. S8338-9

16. RECREATION. Passed without amendment H. R. 4739, to authorize the Secretary of the Interior to grant long term leases with respect to lands in the El Portal administrative site adjacent to Yosemite National Park, Calif. p. S8340
17. LOANS. Passed without amendment H. R. 15562, to continue for 2 years, through June 30, 1970, the Farmers Home Administration's authority to make loans to lessee-operators of farmland in the State of Hawaii (p. S8341). This bill will now be sent to the President.
18. DAIRY. Passed without amendment S. 3638, to extend for three years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government. p. S8338
19. ELECTRIFICATION. Passed as reported S. 2445, to amend the Federal Power Act to clarify the licensing authority of the Commission and the right of the U. S. to take over a project or projects upon or after the expiration of any license shall be exercised. pp. S8389-90
20. TRANSPORTATION. Concurred in House amendments to S. 3102, to postpone for two years the date on which passenger vessels operating solely on the inland rivers and waterways must comply with certain safety standards (pp. S8388-9). This bill will now be sent to the President.
21. NOMINATION. Confirmed the nomination of James H. McCrocklin to be Under Secretary of Health, Education, and Welfare. pp. S8337, S8404
22. FARM PROGRAM. The Daily Digest states that the "Committee on Agriculture and Forestry, in executive session, by a vote of 10 to 5, ordered reported without amendments S. 3590, extending and improving programs to maintain farm income, stabilize prices, and assure adequate supplies of agricultural commodities. As approved by the committee the bill would provide a four-year extension of the present farm program, including the class-I milk base program. Committee agreed to strike the title of the bill relative to farm bargaining." p. D656
Sen. Long, Mo., expressed hope that the Senate will act this year on this bill to "benefit all farmers in Missouri and across the Nation." pp. S8372-3
23. WATERSHEDS. The Agriculture and Forestry Committee approved plans for works of improvement on several watershed projects. p. D656
24. MANPOWER. The Labor and Public Welfare Committee voted to report (but did not actually report) S. 2938, to extend certain expiring provisions under the Manpower Development and Training Act of 1962, as amended. p. D657
25. HUNGER. The Labor and Public Welfare Committee voted to report (but did not actually report) S. Res. 281, to establish a Select Committee on Nutrition and Human Needs. p. D657

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(FOR INFORMATION ONLY;
NOT TO BE QUOTED OR CITED)

Issued July 12, 1968
For actions of July 11, 1968
90th-2nd; No. 119

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HIGHLIGHTS: House Rules Committee cleared food stamp bill. House committee reported bill to establish Commission on Hunger. House committee reported bill to implement International Coffee Agreement. Senate committee reported farm bill. Senate passed grain inspection bill. Both Houses agreed to conference report on Interior appropriation bill.

HOUSE

1. **FOOD STAMPS.** The Rules Committee reported a resolution for the consideration of H. R. 18249, the food stamp bill. p. H6435
2. **HUNGER.** The Education and Labor Committee reported with amendment H. R. 17144, to establish a Commission on Hunger (H. Rept. 1708). p. H6435
3. **COFFEE.** The Ways and Means Committee reported with amendment H. R. 18299, to carry out the obligations of the U. S. under the International Coffee Agreement, 1968 (H. Rept. 1704). p. H6435

4. EDUCATION. The Rules Committee reported a resolution for the consideration of H. R. 15067, the Higher Education Act amendments. p. H6435
 5. PUBLIC WORKS. The Public Works Committee reported with amendment S. 3710, to authorize the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control (H. Rept. 1709). p. H6435
 6. APPROPRIATIONS. The conferees on H. R. 16913, the agricultural appropriation bill, were given until midnight, July 12, to file a report. p. H6323
Conferees were appointed on H. R. 18038, the legislative branch appropriation bill (p. H6324). Senate conferees have been appointed.
 7. BUILDINGS. Conferees were appointed on S. 222, to insure that public buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped (p. H6330). Senate conferees have been appointed.
 8. HIGHWAYS. Conferees were appointed on S. 3418, the highway authorization bill (p. H6331). Senate conferees have been appointed.
 9. WATERSHEDS. The Agriculture Committee approved plans for works of improvement on several watershed projects. p. D668
 10. TRADE FAIRS. The Merchant Marine and Fisheries Committee voted to report (but did not actually report) H. R. 18340, amended, to provide for the continuation of authority to develop American-flag carriers and promote the foreign commerce of the U.S. through the use of mobile trade fairs. p. D668
 11. PEACH FESTIVAL. Rep. Edmondson invited his colleagues to attend the annual Porter (Okla.) Peach Festival on Aug. 3. p. H6324
 12. EMPLOYMENT. Rep. Findley discussed his proposed amendment to the Employment Act of 1946 which he stated "would make the Employment Act more explicit on the matter of full employment and price stability" and "update the intent of Congress on matters concerning the conduct of national policy, and to give price stability the priority it deserves." pp. H6410-11
 13. LEGISLATIVE PROGRAM. Rep. Albert announced that the first order of business on Fri. will be the conference report on the Public Law 480 amendments. p. H6405
- SENATE
14. FARM PROGRAM. The Agriculture and Forestry Committee reported with amendments S. 3590, to extend and improve legislation for maintaining farm income, stabilizing prices and assuring adequate supplies of agricultural commodities (S. Rept. 1378). p. S8423
 15. LANDS. The Agriculture and Forestry Committee reported without amendment S. 3687, to direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain lands to the State of Ohio (S. Rept. 1379) and with amendment S. 3578, to direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain

RELEASE OF CONDITION IN CONVEYANCE TO THE STATE OF OHIO

JULY 11, 1968.—Ordered to be printed

Mr. JORDAN of North Carolina, from the Committee on Agriculture and Forestry, submitted the following

REPORT

[To accompany S. 3687]

The Committee on Agriculture and Forestry, to which was referred the bill (S. 3687), to direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain lands to the State of Ohio, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

SHORT EXPLANATION

This bill would—

(1) Direct the Secretary of Agriculture to release a condition in a conveyance to the State of Ohio requiring the lands to be used for public purposes. Such release would be conditioned upon the State's agreement with respect to the lands covered by the release (A) to exchange such lands for lands of approximately comparable value, and (B) that the lands acquired by such exchange shall be used for public purposes.

(2) Require the Secretary of the Interior upon application to convey the mineral interests of the United States to the State of Ohio at fair market value (or \$1 per application if of only nominal value).

The bill is generally similar to Public Law 90-307, which provides for a similar release to the University of Maine.

DEPARTMENTAL VIEWS

The need for the bill is described in the attached report from the Department of Agriculture favoring enactment.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., July 3, 1968.

HON. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry,
U.S. Senate.

DEAR MR. CHAIRMAN: As requested, here is our report on S. 3687, "To direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain lands to the State of Ohio, and for other purposes."

We recommend enactment of S. 3687.

This bill would authorize and direct the Secretary of Agriculture to release on behalf of the United States a certain condition contained in a 1957 deed conveying certain described lands to the State of Ohio. The condition required that the lands conveyed to the State be used for public purposes and provides for a reversion to the United States if the lands cease to be so used.

This bill provides that the Secretary shall release the condition only with respect to lands covered by an agreement between the Secretary and the State of Ohio or an authorized agency of the State which would provide that lands with respect to which the public use condition is released will be exchanged for lands of approximately comparable value and that lands acquired by the State through such exchanges will be used for public purposes.

S. 3687 would also authorize the Secretary of the Interior, under certain conditions, to convey to the State of Ohio, for the use and benefit of the State, all the undivided mineral interests which were reserved to the United States in lands conveyed to the State.

The lands involved in S. 3687 were originally acquired by the United States in the 1930's and administered under the provisions of title III of the Bankhead-Jones Tenant Act (50 Stat. 525). This title authorizes the Secretary of Agriculture to conduct a program for the rehabilitation of submarginal lands. Title III also authorizes the Secretary to dispose of lands to public authorities and agencies under terms and conditions he deems will best accomplish title III purposes, but only on condition that the property conveyed is used for public purposes.

The 18,560.98 acres of land in question was conveyed to the State of Ohio on January 30, 1967, subject to the condition that it be used for public purposes. If not so used, ownership would revert to the United States.

We understand that the State of Ohio is seeking a release of the "public use" condition so that it may exchange one of the tracts conveyed to it. This tract of 5,252 acres is presently the Raccoon State Forest. The other tract of 13,308.98 acres is known as the Zaleski State Forest. Lake Hope State Park occupies 1,961.60 acres of the Zaleski State Forest tract.

Lake Hope, within the Zaleski State Forest, is seriously polluted from coal mine waste originating on private lands in the upper watershed outside the State forest. To control this pollution, the State needs to control most of the watershed. This will necessitate State acquisition of a large block of private lands of which about 700 acres is owned by Mead Paper Co. Mead also owns another 3,200 acres adjacent to

Zaleski State Forest and nearly 10,000 acres surrounding the Raccoon State Forest.

To consolidate State forest ownership, provide for more effective pollution control in the Lake Hope watershed, and enable more efficient administration of the State forest lands, an exchange has been proposed between the State and Mead Paper Co. State-owned lands in the Raccoon State Forest would be conveyed to Mead Paper Co. for company lands adjacent to the Zaleski State Forest. Such an exchange, in which the lands conveyed to the State would be used for State forest or park purposes, would be consistent with the purposes of the public use requirement in the original conveyance to the State.

Public Law 84-237, as supplemented, and Public Law 90-307, involving lands previously granted Clemson University in South Carolina and the University of Maine, respectively, authorize release of the public use requirement by the Secretary of Agriculture upon agreement with the grantee as provided by S. 3687. Disposal of mineral interests also is authorized by these acts, as in S. 3687. H.R. 16065, involving lands conveyed to the State of Iowa and recently passed by the House of Representatives, would provide the same authorities as S. 3687.

Some 836,000 acres of title III lands have been conveyed by this Department to various States and State agencies and organizations in a number of separate transactions. All of these conveyances are subject to the same reversionary clause if the lands are not used for public purposes. The conveyances also included the same mineral rights reservations.

During the intervening years, changes in land use patterns and resource management programs, administrative requirements, and other factors have resulted in the desire of others of the respective owning public authorities or agencies to exchange or otherwise dispose of a part of the title III lands conveyed to them so as to further the purposes and activities of those public bodies. Another case is before us now. Others may come up in the future.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

JOHN A. SCHNITTKER,
Acting Secretary.

○

Calendar No. 1359

90TH CONGRESS
2D SESSION

S. 3687

[Report No. 1379]

IN THE SENATE OF THE UNITED STATES

JUNE 26, 1968

Mr. LAUSCHE introduced the following bill; which was read twice and referred
to the Committee on Agriculture and Forestry

JULY 11, 1968

Reported by Mr. JORDAN of North Carolina, without amendment

A BILL

To direct the Secretary of Agriculture to release on behalf of
the United States a condition in a deed conveying certain
lands to the State of Ohio, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, notwithstanding the provisions of subsection (c) of
4 section 32 of the Bankhead-Jones Farm Tenant Act, as
5 amended (7 U.S.C. 1011 (c)), the Secretary of Agricul-
6 ture is authorized and directed to release on behalf of the
7 United States with respect to lands designated pursuant to
8 section 2 hereof, the condition in a deed dated January 30,
9 1957, conveying lands in the State of Ohio to the State of
10 Ohio, which requires that the lands so conveyed be used for

1 public purposes and provides for a reversion of such lands to
2 the United States if at any time they cease to be so used.

3 SEC. 2. The Secretary shall release the condition re-
4 ferred to in the first section of this Act only with respect to
5 lands covered by and described in an agreement or agree-
6 ments entered into between the Secretary and the State of
7 Ohio or an authorized agency of the State in which such
8 State or agency, in consideration of the release of such con-
9 dition as to such lands, agrees that the lands with respect to
10 which such condition is released shall be exchanged for
11 lands of approximately comparable value and that the lands
12 so acquired by exchange shall be used for public purposes.

13 SEC. 3. Upon application all the undivided mineral inter-
14 ests of the United States in any parcel or tract of land
15 released pursuant to this Act from the condition as to such
16 lands shall be conveyed to the State of Ohio for the use and
17 benefit of the State by the Secretary of the Interior. In areas
18 where the Secretary of the Interior determines that there is
19 no active mineral development or leasing, and that the lands
20 have no mineral value, the mineral interests covered by a
21 single application shall be sold for a consideration of \$1. In
22 other areas the mineral interests shall be sold at the fair
23 market value thereof as determined by the Secretary of the
24 Interior after taking into consideration such appraisals as he
25 deems necessary or appropriate.

1 SEC. 4. Each application made under the provisions of
2 section 3 of this Act shall be accompanied by a nonrefundable
3 deposit to be applied to the administrative costs as fixed by
4 the Secretary of the Interior. If the conveyance is made, the
5 applicant shall pay to the Secretary of the Interior the full
6 administrative costs, less the deposit. If a conveyance is not
7 made pursuant to an application filed under this Act, the
8 deposit shall constitute full satisfaction of such administrative
9 costs notwithstanding that the administrative costs exceed
10 the deposit.

11 SEC. 5. The term "administrative costs" as used in this
12 Act includes, in addition to other items, all costs which the
13 Secretary of the Interior determines are included in a de-
14 termination of (1) the mineral character of the land in
15 question, and (2) the fair market value of the mineral
16 interest.

17 SEC. 6. Amounts paid to the Secretary of the Interior
18 under the provisions of this Act shall be paid into the
19 Treasury of the United States as miscellaneous receipts.

A BILL

To direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain lands to the State of Ohio, and for other purposes.

By Mr. LAUSCHE

JUNE 26, 1968

Read twice and referred to the Committee on Agriculture and Forestry

JULY 11, 1968

Reported without amendment

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(FOR INFORMATION ONLY;
NOT TO BE QUOTED OR CITED)

Issued July 22, 1968
For actions of July 19 and 20, 1968
90th-2nd; Nos. 125 & 126

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HIGHLIGHT: Senate passed farm bill.

HOUSE - July 19, 1968

1. FLOOD CONTROL. Conferees were appointed on S. 3710, to authorize the construction, repair, and preservation of certain public works on rivers and harbors for navigation and flood control. Senate conferees have been appointed. p. H7041
2. APPROPRIATIONS. The Appropriations Committee reported H. R. 18785, the Defense Department appropriation bill, 1969 (H. Rept. 1754). p. H7116

Senate

- 2 -

3. HOUSING. The conferees agreed to file a conference report on the differences between the Senate- and House-passed versions of S. 3497, the housing bill. p. D711
4. EXPENDITURES. Rep. Mahon stated "I do not now see that we are going to achieve the \$6 billion cut in expenditures in the individual bills" and that the President will have to "take whatever additional measures that are necessary." p. H7040
5. POSTAL SERVICE. Rep. Dorn stated that he was "shocked" at the recent decree by the Post Office Dept. to the effect that mail service would be curtailed and small post offices serving rural communities would be closed. p. H7041
6. COMMUNITY DEVELOPMENT. Rep. Goodell spoke in support of the "comprehensive community self-help program which can stem from the passage of the Community Self-Determination Act." p. H7106
7. LEGISLATIVE PROGRAM. Rep. Albert announced the program for Mon. and the balance of the week as follows: Higher Education Amendments, food stamp bill, farm bill, military construction bill, District of Columbia and Defense Dept. appropriation bills, supergrade bill, endangered species of wildlife and fishermen's protective bills. pp. H7099-7100
8. ADJOURNED until Mon., July 22. p. H7115

SENATE -- July 19, 1968

9. PERSONNEL. The Post Office and Civil Service Committee reported with amendments H.R. 13844, to grant time off for employees to arrange funerals of their children lost in hostile military action (S. Rept. 1443). p. S8946
10. WILDLIFE. Passed as reported H. R. 25, to authorize the Secretary of the Interior in cooperation with the States to preserve, protect, develop, restore, and make accessible estuarine areas of the Nation which are valuable for sport and commercial fishing, wildlife conservation, recreation, and scenic beauty. pp. S8956-7
11. FPC. Concurred in House amendments of a technical and clarifying nature to S. 2445, to amend part I of the Federal Power Act to clarify the manner in which the licensing authority of the Commission and the right of the U. S. to take over a project or projects upon or after the expiration of any license shall be exercised (p. S8951). This bill will now be sent to the President.
12. LANDS. Passed without amendment S. 3687, to direct the Secretary of Agriculture to release on behalf of the U. S. a condition in a deed conveying certain lands to the State of Ohio. p. S8950
13. FARM PROGRAM. Continued debate on S. 3590, the farm bill (pp. S9008-41). Agreed to committee amendments en bloc to be considered as original text for the purpose of amendment (p. S9009). Rejected, 40-40, an Aiken amendment to provide for a

abated, and there is an even greater sense of urgency now than when the original legislation was enacted in 1965. Senator Claiborne Pell, who first urged such legislation in 1962, stated as follows at this year's hearings:

"* * * when this program was being considered 3 years ago, the committee and the Congress were given abundant evidence of an impending crisis in passenger transportation, particularly in our congested and growing urban areas. The only real change in the situation since that time is that the crisis is closer at hand, and the indications of its rapid approach are more readily evident."

The Federal Railroad Administrator, A. Scheffer Lang, submitted the following testimony at the hearings on the urgency of action to increase our capacity to meet the demand for transportation in the urbanized intercity corridors:

"Today there is an ever greater sense of urgency. Travel volumes have increased at a greater rate than predicted and the period of time before we will completely run out of transportation capacity in the northeast corridor is being drastically shortened. The growth in air transportation has been particularly dramatic. Between 1962 and 1966, intercity air passenger-miles in the United States nearly doubled, while intercity passenger-miles by all modes increased by more than 17 percent.

"In the northeast corridor the problem of congestion is extremely critical at several major airports. According to Federal Aviation Administration estimates, delay time at J. F. Kennedy, Newark, LaGuardia, Washington National, Boston, and Philadelphia Airports in 1965 amounted to 49,000 hours. Estimates indicate that at three airports alone—Kennedy, LaGuardia, and Newark—there will be an increase in delay time from 33,000 hours annually in 1966 to 133,000 hours in 1970 and the delays will become very much larger by 1975, if nothing is done to expand capacity.

"Estimates by the Bureau of Public Roads indicate that highway travel on intercity routes in the northeast corridor will almost double between 1965 and 1985. Approximately \$2½ billion will be needed just on the intercity portion of the corridor highway system. The total cost to Federal, State, and local authorities of all street and highway construction in the northeast corridor for the same 20-year period is estimated at more than \$33 billion. These new facilities will have to be accommodated into what is already the most heavily developed region in the country. Fourteen percent of the Nation's total road mileage is concentrated on less than 2 percent of the land area."

Today's traveler in the urban corridors of our Nation knows full well that our present transportation system is reaching saturation. The purpose of the high-speed ground transportation legislation when it was first enacted and today is to try, through research, development, and demonstrations to stimulate alternative modes of transportation which could better handle high volumes of movement in densely populated regions.

The committee knows of no other research and development program of comparable funding which not only promises to so directly benefit large numbers of people, but also which has truly acted as a seedbed to stimulate and encourage involvement by private firms. The Federal Railroad Administrator testified that over the 3-year initial period of the program, Federal appropriations of \$52 million have been met by \$75 to \$100 million of expenditures and commitments by private firms.

The extension of the high-speed ground transportation legislation would permit the significant and promising research and development now underway to be carried forward without interruption. Among the activities which are to be undertaken are the design and fabrication of a tracked air cushion

research vehicle suitable for full-scale testing; research to reduce the cost of tunneling through the use of laser beams, flamejets, high-pressure waterjets, and high-velocity projectiles for rock fracture; and the testing of a large-scale linear electric motor (a new concept in propulsion systems) in order to evaluate its usefulness for high-speed transportation. These activities will require the construction of experimental trackage and associated supporting facilities.

In addition, two demonstration projects—one between Washington and New York, and the other between New York and Boston, while delayed in the equipment stage—are now just reaching the point at which demonstrations can be conducted to measure and evaluate public response to new equipment, higher speeds, variations in fares, improved comfort and convenience, and more frequent service as contemplated in the original legislation. In both demonstrations, substantial improvements in rail passenger service are to be made. Terminal-to-terminal times are to be reduced, new equipment is to be acquired, and roadbeds and stations are to be upgraded.

In carrying out the demonstration between Washington and New York, the Department of Transportation entered into a contract with the Penn Central Co., for that railroad to acquire a fleet of MU cars capable of sustained speeds of up to 150 m.p.h., and to make improvements in its roadbeds and stations. In carrying out the demonstration between New York and Boston, the Department of Transportation has contracted with the United Aircraft Corp. for the lease of turbine-powdered trainsets to be operated on the New Haven Railroad. These new Turbo Trains not only rely on turbine power for propulsion but also have an advanced suspension system.

Another possible application for high-speed ground transportation research and development, and demonstrations is servicing airports with high-speed ground transport systems.

The committee believes that these research and development and demonstration programs should be continued for at least the additional 2 years requested.

While the initial demonstrations are to be conducted in the densely populated megalopolis stretching from Roanoke, Va., to the New Hampshire-Massachusetts border, there are other heavily populated areas such as the east coast of Florida, Milwaukee-Chicago-South Bend-Cleveland, San Francisco-Los Angeles, and Seattle-Tacoma-Portland, which face the prospect of critical intercity transportation problems which require the application of advanced technology to ground transportation systems.

The Department of Agriculture in its favorable comments on this legislation pointed out that the results of the research, development, and demonstration work carried on can often be applied not only in the highest population density area, but also to the transportation problems of the less densely settled areas. The Department of Agriculture noted:

"There is need to facilitate access and to provide better commuting systems between town and country, between rural and suburban areas, and even between cities. Improved transportation facilities are needed to stimulate economic development and to make the movement of people and goods easier among towns and small cities. Three out of ten rural residents cannot now conveniently commute to a city of 25,000 population. Regular efficient public transportation is needed to provide easy access to education, training, and jobs."

ANALYSIS OF BILL

Subsections (a) and (b) of H.R. 16024 propose technical changes in the High-Speed Ground Transportation Act of 1965 to reflect the establishment of the Department of

Transportation and the transfer to it of this program from the Department of Commerce.

Subsection (c) of H.R. 16024 proposes to amend section 7 of the High-Speed Ground Transportation Act to grant the Secretary of Transportation the authority to acquire by purchase, lease, or grant, necessary sites, and to acquire, construct, repair, or furnish necessary support facilities for research and development and demonstration programs under the act. The Federal Railroad Administrator testified that the purpose of this proposed test track facility is to carry research and development on new systems such as the tracked air cushion vehicle and the linear electric motor to a testing stage. For test operations at the contemplated speeds on the order of 300 m.p.h., the Department indicated that it will need about 30,000 acres of land that is relatively flat, free of obstructions, and relatively isolated to insure noninterference. The Federal Railroad Administrator indicated that the Department hopes that it can use Government-owned property or property that can be made available at little or no cost for this purpose.

Subsection (c) further authorizes the Secretary of Transportation, in furtherance of a demonstration program, to contract for the construction of two suburban rail stations, one at Lanham, Md., and one at Woodbridge, N.J., without acquiring any property interest therein. The Federal Railroad Administrator pointed out that these suburban stations are considered an integral part of the planned demonstrations to test public response to improvements in service and equipment. They are being located at junctions with major limited-access highways, with ample parking provided to determine whether the urban, suburban, and rural populations in the communities having access to those highways will use the rail service for intermediate-distance travel.

The suburban station authority was not in the draft bill submitted by the Secretary of Transportation. The committee concurs with the view of the House that such authority should be specifically spelled out in the language of the bill.

Subsection (d) of H.R. 16024 proposes a technical change to reflect the transfer of functions from the Administrator of the Housing and Home Finance Agency to the Secretary of Housing and Urban Development.

Subsection (e) of H.R. 16024 proposes to amend the first sentence of section 11 of the high-speed ground transportation act by authorizing appropriations of \$16,200,000 for the fiscal year ending June 30, 1969, and \$21,200,000 for the fiscal year ending June 30, 1970. The draft bill submitted by the Secretary of Transportation proposed to amend section 11 by authorizing appropriations for such fiscal years without providing any appropriation limitations. The committee concurs with the view of the House that appropriation limitations in such amounts should be incorporated in the bill.

Subsection (f) of H.R. 16024 proposes to amend the first sentence of section 12 of the High-Speed Ground Transportation Act by striking out "1969" and inserting in lieu thereof "1971" to provide for a 2-year extension of the act.

HEARINGS

Hearings were held on H.R. 16024 and on the companion Senate bill, S. 3237, before the Surface Transportation Subcommittee on July 16 and 17, 1968. Testimony in support of this legislation was presented by Senator Claiborne Pell; Congressman Donald J. Irwin; A. Sheffer Lang, Administrator, Federal Railroad Administration, Department of Transportation; Paul J. Tierney, Chairman, Interstate Commerce Commission; and witnesses appearing on behalf of the Illinois Central Railroad, Penn Central Railroad, Santa Fe Railroad System, State of Florida Development Commission, Connecticut

Transportation Authority, State of Illinois Department of Business and Economic Development, Railway Labor Executives' Association, and National Association of Railway Passengers.

Statements in support of this legislation were received from the Council of State Governments, and the Railway Progress Institute.

The Federal Railroad Administrator testified that the Department of Transportation would be agreeable to the two amendments in the House bill, which authorized the contracting for the construction of two suburban rail stations, and placed appropriations limitations for the fiscal years ending in 1969 and 1970.

No testimony was presented in opposition to the proposed extension.

COST TO THE GOVERNMENT

The authorization contained in this bill for the high-speed ground transportation activities is \$16.2 million for the fiscal year ending June 30, 1969, and \$21.2 million for the fiscal year ending June 30, 1970.

Mr. PELL. Mr. President, the Committee on Commerce late yesterday reported to the Senate H.R. 16024, a bill to extend for 2 years the program of research and development in high-speed ground transportation.

Mr. President, this program is a vital one if we are to develop an adequate and well-balanced transportation system to meet the future transportation needs of this country, particularly in our densely populated and growing urban areas.

The bill, Mr. President, was reported to the Senate by my senior colleague from Rhode Island, Senator PASTORE. I want to express here my deep admiration for the great contributions my colleague has made to this program and my appreciation of the expeditious treatment given this measure by the Commerce Committee. I want to take note also of the initiative my senior colleague from Rhode Island has taken, and the very real leadership he has shown as a member of the Appropriations Committee in seeking adequate and timely funding of this program.

The high-speed ground transportation program has benefited greatly from the interest in this program shown by my colleague. And most important, I am convinced, the ultimate beneficiary of his interest and concern will be the public.

The VICE PRESIDENT. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. PASTORE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

CONVEYANCE OF LANDS TO THE STATE OF OHIO

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1359.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 3687) to direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain lands to the State of Ohio, and for other purposes.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3687

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of subsection (c) of section 32 of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1011(c)), the Secretary of Agriculture is authorized and directed to release on behalf of the United States with respect to lands designated pursuant to section 2 hereof, the condition in a deed dated January 30, 1957, conveying lands in the State of Ohio to the State of Ohio, which requires that the lands so conveyed be used for public purposes and provides for a reversion of such lands to the United States if at any time they cease to be so used.

SEC. 2. The Secretary shall release the condition referred to in the first section of this Act only with respect to lands covered by and described in an agreement or agreements entered into between the Secretary and the State of Ohio or an authorized agency of the State in which such State or agency, in consideration of the release of such condition as to such lands, agrees that the lands with respect to which such condition is released shall be exchanged for lands of approximately comparable value and that the lands so acquired by exchange shall be used for public purposes.

SEC. 3. Upon application all the undivided mineral interests of the United States in any parcel or tract of land released pursuant to this Act from the condition as to such lands shall be conveyed to the State of Ohio for the use and benefit of the State by the Secretary of the Interior. In areas where the Secretary of the Interior determines that there is no active mineral development or leasing, and that the lands have no mineral value, the mineral interests covered by a single application shall be sold for a consideration of \$1. In other areas the mineral interests shall be sold at the fair market value thereof as determined by the Secretary of the Interior after taking into consideration such appraisals as he deems necessary or appropriate.

SEC. 4. Each application made under the provisions of section 3 of this Act shall be accompanied by a nonrefundable deposit to be applied to the administrative costs as fixed by the Secretary of the Interior. If the conveyance is made, the applicant shall pay to the Secretary of the Interior the full administrative costs, less the deposit. If a conveyance is not made pursuant to an application filed under this Act, the deposit shall constitute full satisfaction of such administrative costs notwithstanding that the administrative costs exceed the deposit.

SEC. 5. The term "administrative costs" as used in this Act includes, in addition to other items, all costs which the Secretary of the Interior determines are included in a determination of (1) the mineral character of the land in question, and (2) the fair market value of the mineral interest.

SEC. 6. Amounts paid to the Secretary of the Interior under the provisions of this Act shall be paid into the Treasury of the United States as miscellaneous receipts.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in

the RECORD an excerpt from the report (No. 1379), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

SHORT EXPLANATION

This bill would—

(1) Direct the Secretary of Agriculture to release a condition in a conveyance to the State of Ohio requiring the lands to be used for public purposes. Such release would be conditioned upon the State's agreement with respect to the lands covered by the release (A) to exchange such lands for lands of approximately comparable value, and (B) that the lands acquired by such exchange shall be used for public purposes.

(2) Require the Secretary of the Interior upon application to convey the mineral interests of the United States to the State of Ohio at fair market value (or \$1 per application if of only nominal value).

The bill is generally similar to Public Law 90-307, which provides for a similar release to the University of Maine.

FEDERAL CROP INSURANCE IN LOUISIANA

Mr. ELLENDER. Mr. President, in these days of high financial risk in farming, it is encouraging to note that Louisiana farmers are carrying more than 16 times the amount of Federal crop insurance they did 8 years ago.

In 1968, their total protection under this program of the Federal Crop Insurance Corporation of the U.S. Department of Agriculture is estimated at \$10 million, whereas in 1960 it was \$600,000. In the 39 States where FCIC offers insurance, only one—California—topped Louisiana in percentage increase of FCIC participation over the last 8 years.

It is fortunate for Louisiana's 1,400 FCIC-insured farmers in 32 parishes that they have this protection, because last year 426 of them collected weather damage loss payments totaling over \$400,000. Of these, 273 were cotton loss payments totaling \$277,000 and 146 were soybean losses amounting to \$120,000. The remaining seven losses were on rice and sugarcane and totaled \$3,000.

During the last 20 years, 3 years have been higher in FCIC loss payments in Louisiana than 1967: \$538,000 in 1966, \$453,000 in 1964, and \$413,000 in 1965. Louisiana is one of the few States in which FCIC has paid more in loss payments than it has collected in premiums from the insured farmers—but nationally, over the last 20 years, all losses have been paid out of premiums the farmers paid in—95 cents paid out for every \$1 premium collected.

Losses paid in Louisiana in 1967—\$400,097—were more than covered by 1967's premium total of nearly \$441,000.

Over the last quarter century in Louisiana, Federal Crop Insurance Corporation loss payments have been made for these causes of loss: 43.7 percent for damage from excess moisture, 27.7 percent on drought, 19.8 percent on insects, and the remaining 8.8 percent for a great variety of other loss causes.

More and more, I understand, bankers are regarding an FCIC policy as sound support for a loan because it guarantees the insured farmer he will get approxi-

90TH CONGRESS
2D SESSION

S. 3687

IN THE HOUSE OF REPRESENTATIVES

JULY 22, 1968

Referred to the Committee on Agriculture

AN ACT

To direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain lands to the State of Ohio, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, notwithstanding the provisions of subsection (c) of
4 section 32 of the Bankhead-Jones Farm Tenant Act, as
5 amended (7 U.S.C. 1011 (c)), the Secretary of Agricul-
6 ture is authorized and directed to release on behalf of the
7 United States with respect to lands designated pursuant to
8 section 2 hereof, the condition in a deed dated January 30,
9 1957, conveying lands in the State of Ohio to the State of

1 Ohio, which requires that the lands so conveyed be used for
2 public purposes and provides for a reversion of such lands to
3 the United States if at any time they cease to be so used.

4 SEC. 2. The Secretary shall release the condition re-
5 ferred to in the first section of this Act only with respect to
6 lands covered by and described in an agreement or agree-
7 ments entered into between the Secretary and the State of
8 Ohio or an authorized agency of the State in which such
9 State or agency, in consideration of the release of such con-
10 dition as to such lands, agrees that the lands with respect to
11 which such condition is released shall be exchanged for
12 lands of approximately comparable value and that the lands
13 so acquired by exchange shall be used for public purposes.

14 SEC. 3. Upon application all the undivided mineral inter-
15 ests of the United States in any parcel or tract of land
16 released pursuant to this Act from the condition as to such
17 lands shall be conveyed to the State of Ohio for the use and
18 benefit of the State by the Secretary of the Interior. In areas
19 where the Secretary of the Interior determines that there is
20 no active mineral development or leasing, and that the lands
21 have no mineral value, the mineral interests covered by a

1 single application shall be sold for a consideration of \$1. In
2 other areas the mineral interests shall be sold at the fair
3 market value thereof as determined by the Secretary of the
4 Interior after taking into consideration such appraisals as he
5 deems necessary or appropriate.

6 SEC. 4. Each application made under the provisions of
7 section 3 of this Act shall be accompanied by a nonrefundable
8 deposit to be applied to the administrative costs as fixed by
9 the Secretary of the Interior. If the conveyance is made, the
10 applicant shall pay to the Secretary of the Interior the full
11 administrative costs, less the deposit. If a conveyance is not
12 made pursuant to an application filed under this Act, the
13 deposit shall constitute full satisfaction of such administrative
14 costs notwithstanding that the administrative costs exceed
15 the deposit.

16 SEC. 5. The term "administrative costs" as used in this
17 Act includes, in addition to other items, all costs which the
18 Secretary of the Interior determines are included in a de-
19 termination of (1) the mineral character of the land in
20 question, and (2) the fair market value of the mineral
21 interest.

1 SEC. 6. Amounts paid to the Secretary of the Interior
2 under the provisions of this Act shall be paid into the
3 Treasury of the United States as miscellaneous receipts.

 Passed the Senate July 19, 1968.

Attest:

FRANCIS R. VALEO.

Secretary.

AN ACT

To direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain lands to the State of Ohio, and for other purposes.

JULY 22, 1968

Referred to the Committee on Agriculture

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
FOR INFORMATION ONLY;
NOT TO BE QUOTED OR CITED)

Issued July 24, 1968
For actions of July 23, 1968
90th-2nd; No. 128

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HIGHLIGHTS: See page 6

HOUSE

1. **FHA, LOANS.** The Rules Committee reported a resolution for the consideration of H. R. 18209, to provide for loans to supplement farm income and to provide for additional recreation loans, extend the period for water and sewer grants prior to completion of a comprehensive plan, increase the amount of unsold insured loans that may be made out of the fund, raise the aggregate annual limits on grants, and remove the annual ceiling on insured loans. p. H7355

2. HOUSING. Received the conference report on S. 3497, the housing bill (H. Rept. 171 pp. H7278-324). The conferees omitted the provision requiring labor standards under the Bacon-Davis Act to be applied in certain housing for rural trainees. The bill also includes provisions for additional rural housing, a flood insurance program administered by HUD with assistance of USDA and other agencies, establishment of new communities, etc. See also Digests 86, 92, and 118.
3. APPROPRIATIONS. The Rules Committee reported a resolution for the consideration of H. R. 18707, the Defense Department appropriation bill, 1969. p. H7355
Conferees were appointed on H. R. 17903, the public works and Atomic Energy Commission appropriation bill, 1969. p. H7221
4. MANPOWER. The Rules Committee reported a resolution for the consideration of H. R. 15045, to extend certain expiring provisions under the Manpower Development Training Act of 1962. p. H7355
5. FISH PROTEIN. The Merchant Marine and Fisheries Committee reported with amendment S. 3030, to develop fish protein concentrate (H. Rept. 1782). p. H7355
6. LANDS. A subcommittee of the Agriculture Committee approved for full committee action H. R. 18207, to permit an exchange of land by the S. C. State Commission of Forestry; H. R. 18033, to release on behalf of the U. S. a condition in a deed conveying certain land to Ohio; and H. R. 774, to provide for payments in lieu of taxes on lands in national forests. p. D726
7. INTERGOVERNMENTAL COOPERATION. A subcommittee of the Government Operations Committee approved for full committee action "a clean bill in lieu of H. R. 16718," the proposed Intergovernmental Cooperation Act. p. D726
8. WATER RESOURCES. A subcommittee of the Interior and Insular Affairs Committee approved for full committee action H. R. 15731 and S. 3058, to revise the authorization of appropriations for administering the provisions of the Water Resources Planning Act, and H. R. 7804 and S. 224, to provide for the rehabilitation of the Eklutna project, Alaska. pp. D726-7
9. ELECTRIFICATION. Rep. St Germain criticized the "repeated rejection of the Dickey-Lincoln project." pp. H7328-9
10. TAXATION; EXPENDITURES. Rep. Collier stated the 10-percent surcharge tax has "temporarily" helped but predicted "a new and even more serious fiscal crisis ...unless every establishment...receiving Federal funds recognizes the depth of our fiscal problem." p. H7347
11. OPINION POLL. Rep. Ashbrook inserted the results of a questionnaire including items of interest to this Department. pp. H7348-9
12. AFRICAN TOUR. Rep. O'Hara, Ill., inserted Assistant Secretary of State Palmer's discussion of his recent tour of Africa in which he stated that the emphasis almost everywhere is increasingly on agricultural production as the realistic

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(FOR INFORMATION ONLY;
NOT TO BE QUOTED OR CITED)

Issued July 26, 1968
For actions of July 25, 1968
90th-2nd; No. 130

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HIGHLIGHTS: House received conference report on agricultural appropriation bill. Senate agreed to housing conference report. House received conference report on road authorization bill. Senate committee voted to report foreign aid authorization bill.

HOUSE

1. AGRICULTURAL APPROPRIATION BILL. Received the conference report on this bill, H. R. 16913 (H. Rept. 1794) (pp. H7479-82). The conference committee added to the bill a provision for a \$45 million special feeding program to be financed from Sec. 32 funds. Attached to this Digest is a table reflecting the changes agreed upon.

2. LANDS. The Interior and Insular Affairs Committee reported with amendment H. R. 4530, to amend the act relating to the issuance of patents for lands held under color of title and to liberalize the requirements for the conveyance of the mineral estate (H. Rept. 1790), and with amendment H. R. 13797, to authorize the sale of certain public lands (H. Rept. 1791). p. H7624

The Agriculture Committee voted to report (but did not actually report) H. R. 18033, to direct the Secretary of Agriculture to release on behalf of the U. S. a condition in a deed conveying certain lands to Ohio, and H. R. 18207, to direct the Secretary of Agriculture to release a condition in a deed conveying certain lands to the S. C. Commission of Forestry so as to permit such Commission to exchange such lands. p. D742

3. AGING. The Education and Labor Committee reported with amendment H. J. Res. 1371, favoring a White House Conference on Aging (H. Rept. 1792). p. H7624
4. INFORMATION. The Government Operations Committee reported without amendment S. 2060, to extend for 10 years the authorization to make appropriations for allocations and grants for the collection and publication of documentary sources significant to U. S. history (H. Rept. 1797). p. H7624
5. EDUCATION. Passed with amendment S. 3769, the proposed Higher Education Amendments of 1968 (pp. H7486-542). Agreed to an amendment to substitute the language of a similar bill, H. R. 15067, which was passed earlier, 389-15, with amendments. A motion by Rep. Utt to recommit the House bill was rejected (p. H7528). H.R. 15067 was tabled (p. H7541).
6. PARKING FACILITIES. The D. C. Committee voted to report (but did not actually report) H. R. 17854, to authorize a program to provide for the construction of parking facilities in D. C. for Government employees and visitors to the District. p. D742
7. RECREATION. A subcommittee of the Interior and Insular Affairs Committee approved for full committee action H. R. 14735, to establish the Gulf Islands National Seashore, Fla., Ala., La. and Miss., and H. R. 18333, to study the desirability of establishing an Upper Mississippi Valley National Recreation Area, Ill. and Minn. p. D742
- Rep. Sikes commended the bill to implement conservation programs on military reservations which he stated is intended to provide better recreational facilities for every person in the military. p. H7483
8. POVERTY. Rep. Waggoner inserted excerpts from GAO reports showing certain "gross misuses of Federal funds" in the poverty program. p. H7569
- Rep. Berry stated "the Federal Government is deliberately keeping the reservation area Indian a third- or fourth-class citizen, because it refuses to provide a tax incentive to industry locating on these remote reservations to offset...transportation differences." p. H7483
9. IRRADIATED FOOD. Rep. Saylor stated FDA's order "to take irradiated bacon out of Army and Air Force mess halls is further testimony of the need for an investigation of the Atomic Energy Commission's programs." p. H7565

House August 2, 1968

- 3 -

Select Committee to Study the Unmet Basic Needs Among the People of the United States. pp. S10041-2

8. AID. Sen. Young denounced the "outrageous maladministration by AID officials" in South Vietnam and inserted supporting material. pp. S10022-4

9. CREDIT. Sen. Proxmire inserted the draft of a bill intended to be introduced by him next session which would add a new title to the Truth-in-Lending Act to provide safeguards in the field of credit reporting. pp. S10029-40

10. FOREIGN RELATIONS. Sen. Byrd, Va., objected to the barring of all U. S. imports from and exports to Rhodesia. pp. S10040-1

Both Houses received from the State Department a report on the extent and disposition of U. S. contributions to international organizations for 1967. pp. S10042, H8194

11. NATIONAL PARKS. Both Houses received from Interior the annual report of the National Park Foundation, covering the period Dec. 18, 1967 through June 30, 1968. pp. S10042, H8194

12. ATOMIC ENERGY. Received from the Atomic Energy Commission a proposed bill to amend the Atomic Energy Act of 1954, as amended, to eliminate the requirement for a finding of practical value and abolish the distinction between the commercial licenses for facilities and certain research and development licenses for facilities; to the Joint Committee on Atomic Energy. p. S10042

13. COMMUNITY DEVELOPMENT. Sen. Nelson commended the community self-determination bill and inserted the first of a series of articles explaining the concepts behind the community corporations and how these programs might work. pp. S10092-100

14. TOBACCO. Rep. Ervin inserted a speech, "The Tobacco Economy in the South and Trends and Facts as Tobacco is Related to Human Health." pp. S10116-8

15. REORGANIZATION. Sen. Monroney expressed regret that the House has not acted on the Senate passed government reorganization bill. pp. S10123-5
Sen. Mansfield stated "Congress is a year-round job" and urged a study be given to this matter by an appropriate commission. pp. S10110-11

16. RECLAMATION. Sen. Kuchel commended the compromise proposal in the conference report on the Central Arizona project bill. He said the report will be received when Congress reconvenes on Sept. 4. pp. S10132-33

17. STRAWBERRIES. Rep. Morse inserted the testimony of the manager of a grower-owned processing cooperative favoring H. R. 9071, to impose import limitations on prepared or preserved strawberries. pp. S10147-9

18. LANDS. Sen. McGovern announced that a subcommittee of the Interior and Insular Affairs Committee has set hearings Sept. 19 and 20 on a bill to place certain

National Forest lands in New Mexico in trust for the use of the Taos Indians.
pp. S10044-5

19. CREDIT UNIONS. Sen. Mondale commended the 90th Congress on its actions to modernize and update the Federal Credit Union Act. p. S10045
20. TRADE. Sen. Brewster stated that the hearings on a bill to enable groups of carriers involved in joint-rate arrangements to issue a single bill of lading for an entire intermodal and international journey point out the need for legislation to meet the bill's objectives. pp. S10047-8
21. FARM INCOME. Sen. Church inserted an editorial defending the agricultural industry. p. S10052
22. FARM POLICIES. Sen. Lausche inserted an article criticizing the Government's farm policies as creating "chaotic marketing conditions." p. S10069
23. LEGISLATIVE PROGRAM. The "Daily Digest" states the Senate has as its unfinished business Labor-HEW appropriation bill; Defense foreign aid, and possibly a supplemental--not yet passed by either House; and independent offices-HUD and military construction--in conference. Other bills in conference and yet to be acted on include the farm bill; central Arizona project; food stamps; foreign aid authorizations; Higher Education and Vocational Education Amendments of 1968; and trails system; National Water Commission; and Redwood National Park. p. D779
24. ADJOURNMENT. Agreed to H. Con. Res. 805 with amendment that when the Congress adjourns on Fri., Aug. 2, 1968, it stand adjourned until Wed., Sept. 4, 1968. p. S10129

HOUSE

25. INTERGOVERNMENTAL COOPERATION. The Government Operations Committee reported H. R. 18826, the intergovernmental cooperation bill (H. Rept. 1845). p. H8194
w/o amendt.
26. LANDS. The Agriculture Committee reported H. R. 18033, to direct the Secretary of Agriculture to release on behalf of the U. S. a condition in a deed conveying certain land to the State of Ohio (H. Rept. 1847) and with amendment H. R. 18207, to direct the Secretary of Agriculture to release on behalf of the U. S. a condition in a deed conveying certain lands to S. C. Commission of Forestry so as to permit such commission, subject to a certain condition, to exchange such lands (H. Rept. 1848). p. H8194
27. APPROPRIATIONS. Rep. Mahon inserted "data on the status of the appropriations bills of the session and congressional actions on them...also...certain overall information as to congressional actions on other features of the President's budget, involving not only appropriations but also certain legislative bills and revenue matters that affect the budget picture." pp. H8185-89

RELEASE OF CONDITION IN CONVEYANCE TO THE STATE OF OHIO

AUGUST 2, 1968.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

Mr. POAGE, from the Committee on Agriculture,
submitted the following

REPORT

[To accompany H.R. 18033]

The Committee on Agriculture, to whom was referred the bill (H.R. 18033) to direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain lands to the State of Ohio, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

SHORT EXPLANATION

This bill would—

(1) direct the Secretary of Agriculture to release a condition in a conveyance to the State of Ohio requiring the lands to be used for public purposes. Such release would be conditioned upon the State's agreement with respect to the lands covered by the release (A) to exchange such lands for lands of approximately comparable value, and (B) that the lands acquired by such exchange shall be used for public purposes; and

(2) require the Secretary of the Interior upon application to convey the mineral interests of the United States to the State of Ohio at fair market value (or \$1 per application if of only nominal value).

The bill is generally similar to Public Law 90-307, which provides for a similar release to the University of Maine.

DEPARTMENTAL VIEWS

The need for the bill is described in the attached report from the Department of Agriculture favoring enactment.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., July 11, 1968.

HON. W. R. POAGE,
*Chairman, Committee on Agriculture,
House of Representatives.*

DEAR MR. CHAIRMAN: As you asked, here is our report on H.R. 18033, to direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain lands to the State of Ohio, and for other purposes.

We recommend enactment of H.R. 18033.

This bill would authorize and direct the Secretary of Agriculture to release on behalf of the United States a condition contained in a 1957 deed conveying certain described lands to the State of Ohio. The condition required that the lands conveyed to the State be used for public purposes and provides for a reversion to the United States if the lands cease to be so used.

This bill provides that the Secretary shall release the condition only with respect to lands covered by an agreement between the Secretary and the State of Ohio or an authorized agency of the State which would provide that lands with respect to which the public use condition is released will be exchanged for lands of approximately comparable value and that lands acquired by the State through such exchanges will be used for public purposes.

H.R. 18033 would also authorize the Secretary of the Interior, under certain conditions, to convey to the State of Ohio, for the use and benefit of the State, all the undivided mineral interests which were reserved to the United States in lands conveyed to the State.

The lands involved in H.R. 18033 were originally acquired by the United States in the 1930's and administered under the provisions of title III of the Bankhead-Jones Farm Tenant Act (50 Stat. 525). This title authorizes the Secretary of Agriculture to conduct a program for the rehabilitation of submarginal lands. Title III also authorizes the Secretary to dispose of lands to public authorities and agencies under terms and conditions he deems will best accomplish title III purposes, but only on condition that the property conveyed is used for public purposes.

The 18,560.98 acres of land in question was conveyed to the State of Ohio on January 30, 1957, subject to the condition that it be used for public purposes. If not so used, ownership would revert to the United States.

We understand that the State of Ohio is seeking a release of the public use condition so that it may exchange one of the tracts conveyed to it. This tract of 5,252 acres is presently the Raccoon State Forest. The other tract of 13,308.98 acres is known as the Zaleski State Forest. Lake Hope State Park occupies 1,961.60 acres of the Zaleski State Forest tract.

Lake Hope, within the Zaleski State Forest, is seriously polluted from coal mine waste originating on private lands in the upper watershed outside the State forest. To control this pollution, the State needs to control most of the watershed. This will necessitate State acquisition of a large block of private lands of which about 700 acres is owned by Mead Paper Co. Mead also owns another 3,200 acres

adjacent to Zaleski State Forest and nearly 10,000 acres surrounding the Raccoon State Forest.

To consolidate State forest ownership, provide for more effective pollution control in the Lake Hope watershed, and enable more efficient administration of the State forest lands, an exchange has been proposed between the State and Mead Paper Co. State-owned lands in the Raccoon State Forest would be conveyed to Mead Paper Co. for company lands adjacent to the Zaleski State Forest. Such an exchange, in which the lands conveyed to the State would be used for State forest or park purposes, would be consistent with the purposes of the public use requirement in the original conveyance to the State.

Public Law 84-237, as supplemented, and Public Law 90-307, involving lands previously granted Clemson University in South Carolina and the University of Maine, respectively, authorize release of the public use requirement by the Secretary of Agriculture upon agreement with the grantee as provided by H.R. 18033. Disposal of mineral interests also is authorized by these acts, as in H.R. 18033. H.R. 16065, involving lands conveyed to the State of Iowa and recently passed by the House of Representatives, would provide the same authorities as H.R. 18033.

Some 836,000 acres of title III lands have been conveyed by this Department to various States and State agencies and organizations in a number of separate transactions. All of these conveyances are subject to the same reversionary clause if the lands are not used for public purposes. The conveyances also included the same mineral rights reservations.

During the intervening years, changes in land-use patterns and resource management programs, administrative requirements, and other factors have resulted in the desire of others of the respective owning public authorities or agencies to exchange or otherwise dispose of a part of the title III lands conveyed to them so as to further the purposes and activities of those public bodies. Another case is before us now. Others may come up in the future.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

ORVILLE L. FREEMAN, *Secretary.*

○

Union Calendar No. 751

90TH CONGRESS
2D SESSION

H. R. 18033

[Report No. 1847]

IN THE HOUSE OF REPRESENTATIVES

JUNE 20, 1968

Mr. MILLER of Ohio introduced the following bill; which was referred to the Committee on Agriculture

AUGUST 2, 1968

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain lands to the State of Ohio, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, notwithstanding the provisions of subsection (c) of
4 section 32 of the Bankhead-Jones Farm Tenant Act, as
5 amended (7 U.S.C. 1011(c)), the Secretary of Agricul-
6 ture is authorized and directed to release on behalf of the
7 United States with respect to lands designated pursuant to
8 section 2 hereof, the condition in a deed dated January 30,
9 1957, conveying lands in the State of Ohio to the State of
10 Ohio, which requires that the lands so conveyed be used for

1 public purposes and provides for a reversion of such lands to
2 the United States if at any time they cease to be so used.

3 SEC. 2. The Secretary shall release the condition re-
4 ferred to in the first section of this Act only with respect to
5 lands covered by and described in an agreement or agree-
6 ments entered into between the Secretary and the State of
7 Ohio or an authorized agency of the State in which such
8 State or agency, in consideration of the release of such con-
9 dition as to such lands, agrees that the lands with respect to
10 which such condition is released shall be exchanged for
11 lands of approximately comparable value and that the lands
12 so acquired by exchange shall be used for public purposes.

13 SEC. 3. Upon application all the undivided mineral inter-
14 ests of the United States in any parcel or tract of land
15 released pursuant to this Act from the condition as to such
16 lands shall be conveyed to the State of Ohio for the use and
17 benefit of the State by the Secretary of the Interior. In areas
18 where the Secretary of the Interior determines that there is
19 no active mineral development or leasing, and that the lands
20 have no mineral value, the mineral interests covered by a
21 single application shall be sold for a consideration of \$1. In
22 other areas the mineral interests shall be sold at the fair
23 market value thereof as determined by the Secretary of the
24 Interior after taking into consideration such appraisals as he
25 deems necessary or appropriate.

1 SEC. 4. Each application made under the provisions of
2 section 3 of this Act shall be accompanied by a nonrefund-
3 able deposit to be applied to the administrative costs as fixed
4 by the Secretary of the Interior. If the conveyance is made,
5 the applicant shall pay to the Secretary of the Interior the
6 full administrative costs, less the deposit. If a conveyance is
7 not made pursuant to an application filed under this Act, the
8 deposit shall constitute full satisfaction of such administrative
9 costs notwithstanding that the administrative costs exceed
10 the deposit.

11 SEC. 5. The term "administrative costs" as used in this
12 Act includes, in addition to other items, all costs which the
13 Secretary of the Interior determines are included in a de-
14 termination of (1) the mineral character of the land in
15 question, and (2) the fair market value of the mineral
16 interest.

17 SEC. 6. Amounts paid to the Secretary of the Interior
18 under the provisions of this Act shall be paid into the
19 Treasury of the United States as miscellaneous receipts.

90TH CONGRESS
2d Session

H. R. 18033

[Report No. 1847]

A BILL

To direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain lands to the State of Ohio, and for other purposes.

By Mr. MILLER of Ohio

JUNE 20, 1968

Referred to the Committee on Agriculture

AUGUST 2, 1968

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Sept 16, 1968

-3-

11. LANDS. Passed without amendment S. 3578, to direct the Secretary of Agriculture to release, on behalf of the U.S., a condition in a deed conveying certain lands to the South Carolina State Commission of Forestry so as to permit such Commission, subject to a certain condition, to exchange such lands. This bill will now be sent to the President. H. R. 18207, a similar bill, passed earlier as reported was tabled. pp. H8665-7
Passed as reported H. R. 17874, to amend the Act providing for the admission of Alaska into the Union in order to extend the time for filing of applications for the selection of certain lands by such State. pp. H8676-7
Passed with amendment (to substitute the language of H. R. 13797) S. 220, to give the Secretary of the Interior the legislative authority to sell certain parcels of land upon which an agricultural trespass has been recently discovered. H. R. 13797, a similar bill, passed earlier as reported was tabled. pp. H8662-3
- Passed without amendment S. 3687, to direct the Secretary of Agriculture to release on behalf of the U. S. a condition in a deed conveying certain lands to the State of Ohio. This bill will now be sent to the President. H. R. 18033, a similar bill, passed earlier without amendment was tabled. pp. H8664-5
- Passed as reported H. R. 4930, to authorize the Secretary of the Interior to sell at fair market value the mineral estate in lands heretofore or hereafter patented under the Color of Title Act without regard to whether the lands are subject to a mineral lease or mineral withdrawal. p. H8662
12. MILITARY CONSTRUCTION. Conferees were appointed on H. R. 18785, the military construction appropriation bill, 1969. This bill includes funds for payment to the Commodity Credit Corporation on the indebtedness for housing constructed in foreign countries with foreign currencies derived from the sale of surplus commodities. Senate conferees have been appointed. p. H8657
13. INTEREST RATES. Passed under suspension of the rules S. 3133, to extend for two years the authority for more flexible regulation of maximum rates of interest or dividends, higher reserve requirements, and open market operations in agency issues. H. R. 16092, a similar bill, was tabled. pp. H8695-700
14. INTERGOVERNMENTAL COOPERATION. Passed with amendment (to substitute the language of H. R. 18826) S. 698, to strengthen State and local government and improve the relations between those governments and the Federal Government through closer cooperation and coordination of policies and activities, particularly in the administration of Federal grant and loan programs for development assistance and by other means. H. R. 18826, a similar bill, passed earlier under suspension of the rules was tabled. pp. H8705-25
15. FISH PROTEIN. Passed, 218-102, under suspension of the rules S. 3030, to authorize the Secretary of the Interior to develop, through the use of an experiment and demonstration plant, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate. pp. S8725-30

16. IAW. Passed with amendments H. R. 17864, to amend titles 5, 10, and 37 of the U. S. Code so as to incorporate recently enacted amendments. p. H8659
17. GUAM. Passed without amendment S. 3072, to authorize additional funds to complete the rehabilitation of the public sector of Guam from the devastation of World War II, and typhoons in 1962 and 1963. This bill will now be sent to the President. H. R. 16801, passed earlier under suspension of the rules was tabled. pp. H8732-4
18. NEGRO HISTORY. Passed, 263-45, under suspension of the rules H. R. 12962, to provide for the establishment of a Commission on Negro History and Culture. pp. H8745-49
19. FISHERIES. Passed with amendment S. 3866, to extend the provisions of the Commercial Fisheries Research and Development Act of 1964. H. R. 18808, a similar bill passed earlier under suspension of the rules, was tabled. pp. H8749-52
20. RECLAMATION. Passed under suspension of the rules S. 3058, to increase the authorization under title I of the Water Resources Planning Act, which establishes the Water Resources Council and specifies its authorities and responsibilities. p. H8753
Passed under suspension of the rules S. 224, to make nonreimbursable the cost of rehabilitation of the Eklutna Federal hydroelectric power project in Alaska because of damage caused by the earthquake in March 1964. pp. H8759-60
21. BUILDINGS; SAFETY. Rejected 197-136, a motion to suspend the rules and pass H. R. 2567, to require conditions of health and safety in construction using Federal funds. pp. H8687-95
22. PERSONNEL. H. R. 17954, to correct certain inequities and relieve certain liabilities arising out of overpayments to Government employees as a result of administrative error in the application of certain provisions of the Classification Act of 1949, the Federal Employees Salary Act of 1964, and other provisions of law; and H. R. 12881, to authorize the payment of allowances to defray commuting expenses of civilian employees of executive agencies assigned to duty at remote worksites, were passed over without prejudice. p. H8671
23. HUNGER. Rep. Battin criticized the administration of the food distribution programs. p. H8776
24. ROADS. Reps. Poff and Cramer deplored inclusion of cuts in the highway program in the expenditure cuts made necessary by provisions of the Revenue and Expenditure Control Act. pp. H8774-5, H8779-80
25. POVERTY. Rep. Steiger called for oversight to prevent "wide-scale diversion and dissipation of antipowerty funds." p. H8774

Milward Simpson, introduced S. 625. That bill passed the Senate but was not considered by the House.

The measure being considered by the House today merits a bit of background explanation.

In much of the West, there exist small parcels of arable land adjacent to private farms and ranches which could be put to economic use as part of the private cultivation of land and which have no public value requiring their retention in public ownership. Such small parcels are found on occasion to be cultivated in trespass, sometimes because of the uncertainty of titles or land boundaries.

Decades ago when the West was being carved up and homesteaded, boundaries were more inclined to follow natural topographical features, such as ridge lines or streams or borders of timbered area, than the unseen mystical lines of ill drawn surveys. This has led to the so-called trespass action taken against many ranchers by the Department of the Interior on the basis of recent surveys.

Where such tracts cannot meet the legal and regulatory requirements for classification for sale under section 2455 R.S., Public Land Sales Act, or Homestead or Desert Land Acts, the Secretary has no means to sell them.

Enactment of H.R. 13797 or S. 220 would provide authority to sell such lands and permit the Secretary to adjust land use and tenure situations which have arisen because of the lack of this authority.

The bill we consider today has been thoroughly reviewed by both the House and Senate Interior Committees.

It has been amended to provide that a single purchaser of trespass parcels may acquire up to 160 acres. Holders of land adjacent to the trespass parcels will have a preference to buy at a bid price of no less than set fair market value. In other words, no homestead will be broken up because of the arbitrary sale to someone not now holding that land. The present landholder would have an opportunity to match whatever bid price is offered for the land, thereby having first preference to purchase.

Mr. Speaker, this bill has broad support both in Congress and among the constituents of many Congressmen and I respectfully urge my colleagues to give their approval to this measure so that the work begun in the previous Congress can be successfully converted.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 13797

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized, on application of an owner of contiguous lands, to sell at public auction any tract of public domain not exceeding one hundred and twenty acres that contains some land which has been or can be put to cultivation but which is insufficient because of climatic, topographic, ecologic, soil, or other factors to justify a classification as proper for disposal under the homestead or desert land laws. Except as provided in section 2 hereof, the tract shall be sold to the highest bidder. Except as provided in section 3 hereof, no

tract shall be sold for less than its appraised fair market value.

SEC. 2. For a period of thirty days from the day the high bid is received, any owner of contiguous lands shall have a preference right to buy the tract at such highest bid price. If two or more contiguous owners assert the preference right, the Secretary is authorized to make such division of the land among the applicants as he deems equitable.

SEC. 3. If a person who has a preference right under section 2 of this Act is the purchaser of land sold pursuant to this Act, he shall not be required to pay for any values he or his predecessors in interest have added to the land. However, nothing in this Act shall relieve any person from liability to the United States for unauthorized use of the land prior to conveyance of title by the United States.

SEC. 4. No person may acquire from the Secretary more than one hundred and twenty acres of land under the provisions of this Act.

SEC. 5. The authority granted by this Act shall expire three years from the date of the passage of the Act, but sales for which application has been made in accordance with this Act prior to the expiration of the three years may be consummated and patents may be issued in connection therewith after the three-year period.

With the following committee amendment:

Page 1, lines 3 through 10, strike out all of the first sentence of section 1 and insert the following in lieu thereof:

"That the Secretary of the Interior is authorized, on his own motion or on application of an owner of contiguous lands, and upon a finding that it is not needed for public purposes, to sell at public auction any tract of public domain not exceeding one hundred and twenty acres that has been or is now subject to unintentional trespass, as determined by the Secretary, and that contains some land which has been or can be put to cultivation but which is insufficient because of climatic, topographic, ecologic, soil, or other factors to justify a classification as proper for disposal under the homestead or desert land laws."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill (S. 220) to authorize the sale of certain public lands.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 220

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized, on application of an owner of contiguous lands, to sell at public auction any tract of public domain not exceeding one hundred and sixty acres that contains some lands which have been or can be put to cultivation but which are insufficient because of climatic, topographic, ecologic, soil, or other factors to justify a classification as proper for disposal under the homestead or desert land laws. Except as provided in section 2 hereof, the tract shall be sold to the highest bidder. Except as provided in section 3 hereof, no tract shall be sold for less than its appraised fair market value.

SEC. 2. For a period of thirty days from the day the high bid is received, any owner of contiguous lands shall have a preference right to buy the tract at such highest bid price. If two or more contiguous owners assert the preference right, the Secretary is authorized to make such division of the land among the applicants as he deems equitable.

SEC. 3. If a person who has a preference right under section 2 of this Act is the purchaser of land sold pursuant to this Act, he shall not be required to pay for any values he or his predecessors in interest have added to the land. However, nothing in this Act shall relieve any person from liability to the United States for unauthorized use of the land prior to conveyance of title by the United States.

SEC. 4. No person may acquire from the Secretary more than one hundred and sixty acres of land under the provisions of this Act, except that in any case in which the Secretary finds that the person to whom the land is to be transferred has not intentionally trespassed thereon in the use thereof, the Secretary may transfer not to exceed six hundred and forty acres under the provisions of this Act.

SEC. 5. The authority granted by this Act shall terminate June 30, 1971, but sales for which application has been made in accordance with this Act prior to June 30, 1971, may be consummated and patents may be issued in connection therewith after June 30, 1971.

AMENDMENT OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Speaker, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Strike out all after the enacting clause of S. 220 and insert in lieu thereof the provisions of H.R. 13797, as passed.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 13797) was laid on the table.

DESIGNATING CERTAIN LANDS IN THE GREAT SWAMP NATIONAL WILDLIFE REFUGE, MORRIS COUNTY, N.J., AS WILDERNESS

The Clerk called the bill (H.R. 16771) to designate certain lands in the Great Swamp National Wildlife Refuge, Morris County, N.J., as wilderness.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, reserving the right to object, I personally favor this bill, but another Member who could not be present here today requested that I have it passed over. I note that it is coming up under suspension later today, and therefore I withdraw my reservation of objection and ask that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

DESIGNATING THE MOUNT JEFFERSON WILDERNESS, WILLAMETTE, DESCHUTES, AND MOUNT HOOD NATIONAL FORESTS, IN THE STATE OF OREGON

The Clerk called the bill (H.R. 13512) to designate the Mount Jefferson Wilderness, Willamette, Deschutes, and Mount

Hood National Forests, in the State of Oregon.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 2751, to designate the Mount Jefferson Wilderness, Willamette, Deschutes, and Mount Hood National Forests, in the State of Oregon, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the Senate bill, as follows:

S. 2751

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with subsection 3(b) of the Wilderness Act of September 3, 1964 (78 Stat. 891), the area classified as the Mount Jefferson Primitive Area, with the proposed additions thereto and deletions therefrom, as generally depicted on a map entitled "Mt. Jefferson Wilderness—Proposed," dated July 1968, which is on file and available for public inspection in the Office of the Chief, Forest Service, Department of Agriculture, is hereby designated as the Mount Jefferson Wilderness within and as a part of Willamette, Deschutes, and Mount Hood National Forests, comprising an area of approximately one hundred thousand acres.

SEC. 2. As soon as practicable after this Act takes effect, the Secretary of Agriculture shall file a map and a legal description of the Mount Jefferson Wilderness with the Committees on Interior and Insular Affairs of the United States Senate and the House of Representatives, and such description shall have the same force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in such legal description and map may be made.

SEC. 3. The Mount Jefferson Wilderness shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act.

SEC. 4. The previous classification of the Mount Jefferson Primitive Area is hereby abolished.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 13512) was laid on the table.

RELEASE OF CONDITION IN CONVEYANCE TO THE STATE OF OHIO

The Clerk called the bill (H.R. 18033) to direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain lands to the State of Ohio, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I would like to ask someone what the possible cost to the Federal Government will be, if any?

Mr. POAGE. Mr. Speaker, if the gentleman will yield, there is none at all.

There is no cost to the Federal Government.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, I shall not object, but I simply want to inquire of the distinguished chairman of the Committee on Agriculture if Senate 3687 is identical with H.R. 18033?

Mr. POAGE. Mr. Speaker, if the gentleman will yield, the language is identical.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

Mr. HARSHA. Mr. Speaker, I rise in support of H.R. 18033, a bill which would direct the Secretary of Agriculture to release, on behalf of the United States, a condition in a deed conveying certain lands to the State of Ohio. This bill is similar to Public Law 90-307 and is beneficial to both the State of Ohio and to the Mead Paper Co., with whom this land exchange would be made and also quite beneficial to the general public because it would permit the State to eradicate a very serious pollution problem.

The State of Ohio is interested in controlling pollution in Lake Hope, within the Zaleski State Forest. This pollution originates from coal mine waste coming from private lands in the upper watershed outside the State forest, and acquisition of most of this watershed is essential to the control of the pollution. Acquisition of this tract would consolidate State forest ownership, provide for more effective pollution control in the Lake Hope watershed, and enable more efficient administration of the State forest lands and more adequately protect these lands for the public use and benefit.

Therefore, an exchange was proposed between the Mead Paper Co., which owns this land, and the State of Ohio which owns a tract of similar size known as the Raccoon State Forest. Two problems facing the State necessitate this legislation—first, the reverter clause and second, reservation of mineral rights. Under existing law, unless the exchanged tract is used for public purposes, its ownership would revert to the United States. This precludes an exchange and in order to effect an exchange this reverter clause must be eliminated insofar as the land in question is concerned—likewise the reservation of mineral rights. This legislation would accomplish these objectives yet at the same time adequately protect the public interest and the interests of the Federal Government. The legislation would enable the State of Ohio to engage in the exchange of comparable lands for more adequate park purposes and therefore would be consistent with the purposes of the public use requirement in the original conveyance to the State.

Equally as important is the ever-presenting problem of pollution. This Government is spending millions upon millions of dollars each year to make our streams, lakes, and rivers clean again. This legislation will enable the State to join in this battle insofar as Lake Hope

is concerned. Surely this is within the public interests.

Mr. Speaker, this legislation will not establish any precedent as we have already been over that hurdle.

During the intervening years, changes in land-use patterns and resource management programs, administrative requirements, and other factors have resulted in the desire of others of the respective owning public authorities or agencies to exchange or otherwise dispose of a part of the title III lands conveyed to them so as to further the purposes and activities of those public bodies. Another case is before us now. Others may come up in the future.

I urge the adoption of this legislation and respectfully request my colleagues to join with me in supporting this bill.

Mr. MILLER of Ohio. Mr. Speaker, as author of the bill now before us I wish to speak on the need of this legislation which is of great importance to the State of Ohio.

The bill, H.R. 18033, directs the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain lands to the State of Ohio and for other purposes.

A very advantageous land exchange is being considered between the State of Ohio, Department of Natural Resources, and the Mead Paper Co. of Chillicothe, Ohio. This land exchange involves the conveyance of the 5,650 acre Raccoon State Forest in Vinton County. The Raccoon Forest is made up of 5,252 acres which were acquired by the U.S. Government during the land utilization program of 1938 through 1940 and then conveyed to the State of Ohio. Through later purchases the State of Ohio acquired an additional 398 acres in adjacent properties. The Mead Corp. lands offered in exchange consist of 5,920 acres in Vinton and Athens counties adjoining and lying to the east of the Zaleski State Forest. The Mead Corp. lands offered exceed the State lands to be exchanged by 270 acres. The appraised value of the lands to be exchanged are comparable.

The exchange of these lands would permit the concentration of State forest ownership in Vinton County into one large management unit reducing operating costs and making for more efficient timber management. The Mead Corp. would be consolidating their holdings in southern Vinton County. Seven hundred acres of the 5,920 acres the Mead Corp. is offering to exchange lies within the Big Sandy Run drainage flowing into Lake Hope where Ohio has a major land acquisition program underway. The entire watershed is being acquired in order to implement a program to alleviate the flow of acid water, from abandoned underground mines, into the lake. This acid problem has reduced Lake Hope to an almost sterile body of water which must be reclaimed to restore its recreational values. At the present time the State of Ohio has approximately \$5 million in facilities around this 120 acre lake. Should passage of H.R. 18033 result in nothing more than the purification of the waters of Lake Hope, the thousands of visitors who enjoy vacationing at Lake Hope State Park will be permanently grateful.

The deterrent to finalizing this land exchange is a condition in the 1957 deed by which the State of Ohio acquired the Raccoon Forest from the U.S. Government. The deed states that the land conveyed is to be used for public purposes and if not so used it is to revert the Federal ownership. The lands to be acquired from the Mead Corp. in this exchange will be devoted to public use thus fulfilling this obligation of the deed as well as the provisions of the bill.

The purpose of H.R. 18033 is to remove the condition from the deed so that the exchange can be accomplished and the exchanged lands assimilated into the public use and management programs of the Zaleski State forest.

This legislation is supported by the Ohio Department of Natural Resources and the U.S. Forest Service. Furthermore, it will involve no cost to the Federal Government.

I ask for your support in this advantageous legislation.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 18033

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of subsection (c) of section 32 of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1011(c)), the Secretary of Agriculture is authorized and directed to release on behalf of the United States with respect to lands designated pursuant to section 2 hereof, the condition in a deed dated January 30, 1957, conveying lands in the State of Ohio to the State of Ohio, which requires that the lands so conveyed be used for public purposes and provides for a reversion of such lands to the United States if at any time they cease to be so used.

SEC. 2. The Secretary shall release the condition referred to in the first section of this Act only with respect to lands covered by and described in an agreement or agreements entered into between the Secretary and the State of Ohio or an authorized agency of the State in which such State or agency, in consideration of the release of such condition as to such lands, agrees that the lands with respect to which such condition is released shall be exchanged for lands of approximately comparable value and that the lands so acquired by exchange shall be used for public purposes.

SEC. 3. Upon application all the undivided mineral interests of the United States in any parcel or tract of land released pursuant to this Act from the condition as to such lands shall be conveyed to the State of Ohio for the use and benefit of the State by the Secretary of the Interior. In areas where the Secretary of the Interior determines that there is no active mineral development or leasing, and that the lands have no mineral value, the mineral interests covered by a single application shall be sold for a consideration of \$1. In other areas the mineral interests shall be sold at the fair market value thereof as determined by the Secretary of the Interior after taking into consideration such appraisals as he deems necessary or appropriate.

SEC. 4. Each application made under the provisions of section 3 of this Act shall be accompanied by a nonrefundable deposit to be applied to the administrative costs as fixed by the Secretary of the Interior. If the conveyance is made, the applicant shall pay to the Secretary of the Interior the full administrative costs, less the deposit. If a conveyance is not made pursuant to an applica-

tion filed under this Act, the deposit shall constitute full satisfaction of such administrative costs notwithstanding that the administrative costs exceed the deposit.

SEC. 5. The term "administrative costs" as used in this Act includes, in addition to other items, all costs which the Secretary of the Interior determines are included in a determination of (1) the mineral character of the land in question, and (2) the fair market value of the mineral interest.

SEC. 6. Amounts paid to the Secretary of the Interior under the provisions of this Act shall be paid into the Treasury of the United States as miscellaneous receipts.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. POAGE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3687) to direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain lands to the State of Ohio, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There being no objection, the Clerk read the Senate bill, as follows:

S. 3687

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of subsection (c) of section 32 of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1011(c)), the Secretary of Agriculture is authorized and directed to release on behalf of the United States with respect to lands designated pursuant to section 2 hereof, the condition in a deed dated January 30, 1957, conveying lands in the State of Ohio to the State of Ohio, which requires that the lands so conveyed be used for public purposes and provides for a reversion of such lands to the United States if at any time they cease to be so used.

SEC. 2. The Secretary shall release the condition referred to in the first section of this Act only with respect to lands covered by and described in an agreement or agreements entered into between the Secretary and the State of Ohio or an authorized agency of the State in which such State or agency, in consideration of the release of such condition as to such lands, agrees that the lands with respect to which such condition is released shall be exchanged for lands of approximately comparable value and that the lands so acquired by exchange shall be used for public purposes.

SEC. 3. Upon application all the undivided mineral interests of the United States in any parcel or tract of land released pursuant to this Act from the condition as to such lands shall be conveyed to the State of Ohio for the use and benefit of the State by the Secretary of the Interior. In areas where the Secretary of the Interior determines that there is no active mineral development or leasing, and that the lands have no mineral value, the mineral interests covered by a single application shall be sold for a consideration of \$1. In other areas the mineral interests shall be sold at the fair market value thereof as determined by the Secretary of the Interior after taking into consideration such appraisals as he deems necessary or appropriate.

SEC. 4. Each application made under the provisions of section 3 of this Act shall be accompanied by a nonrefundable deposit to be applied to the administrative costs as fixed by the Secretary of the Interior. If the conveyance is made, the applicant shall pay to the Secretary of the Interior the full ad-

ministrative costs, less the deposit. If a conveyance is not made pursuant to an application filed under this Act, the deposit shall constitute full satisfaction of such administrative costs notwithstanding that the administrative costs exceed the deposit.

SEC. 5. The term "administrative costs" as used in this Act includes, in addition to other items, all costs which the Secretary of the Interior determines are included in a determination of (1) the mineral character of the land in question, and (2) the fair market value of the mineral interest.

SEC. 6. Amounts paid to the Secretary of the Interior under the provisions of this Act shall be paid into the Treasury of the United States as miscellaneous receipts.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 18033) was laid on the table.

RELEASE OF CONDITION IN CONVEYANCE TO SOUTH CAROLINA STATE COMMISSION OF FORESTRY

The Clerk called the bill (H.R. 18207) to direct the Secretary of Agriculture to release, on behalf of the United States, a condition in a deed conveying certain lands to the South Carolina State Commission of Forestry so as to permit such commission, subject to a certain condition, to exchange such lands.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, I would like to know, inasmuch as the committee report cites as comparable, similar legislation involving the University of Maine in the State of Maine; whether or not this property, once granted title in fee simple to South Carolina, is to be used by the University of South Carolina?

Mr. POAGE. Mr. Speaker, if the gentleman will yield, the answer is "No." What this does, is to allow the State commissioner of forestry to sell certain land, to exchange certain land which the State had received from the Federal Government with the provision in the original grant that, when it ceased to be used for public purposes, it should revert to the United States.

We think what we are doing is carrying out the intent of the original grant, in that we are allowing them to exchange this for other land which is better suited for their purposes now, for public purposes, and we require in this bill that the land for which the Federal lands were exchanged shall be used for public purposes. So all we do is to allow the State to exchange this land which the Federal Government gave it for land which is now privately owned. We then let the State transfer the land which the Federal Government gave them into private ownership, but they have to continue to use the land which they thus acquire for the original purposes.

We do not change any of the purposes for which it can be used. We simply change the specific blocks. The land is in blocks and it gives the State a solid block by allowing them to make these transfers.

Mr. HALL. Mr. Speaker, I appreciate

the gentleman's explanation. I understand the removal of the reverter-clause of the existing Government-owned land, and that we want to exchange parcels of land only.

Mr. Speaker, are the lands which are going to be exchanged in approximately similar amounts as to worth?

Mr. POAGE. They are not the same amounts of land, but approximately the same valuations are placed on the two blocks of land.

Mr. HALL. Would the gentleman not agree with me, under the paragraph entitled "Short Explanation" on page 2 of the report, wherein it states:

The bill is generally similar to Public Law 90-307, which provides for a similar release to the University of Maine.

That since the University of South Carolina is not using it the explanation is not a comparable simile or may be an overstatement of the fact.

Mr. POAGE. Well, I would say that it is generally similar, in that in each case the bill allows the transfer of land, which, without the bill, would require a reversion to the Federal Government. That much is certainly identical in the two cases. The exact usages of the land are not identical, because in the case of the University of Maine it was building lots where they wanted to build houses, and in the case of the Forestry Commission of South Carolina it is a forest use by the State. But the land which they acquire in each case will be used for the original purpose for which the original Federal land was granted.

Mr. HALL. Mr. Speaker, one further query:

There is no estimate given of the cost to the Federal taxpayers. I take it from the gentleman's statement that the land parcels being exchanged are of comparable value means there can be no expected cost to the U.S. Treasury; is that correct?

Mr. POAGE. That is the understanding of the Committee on Agriculture. As we see it if we have two tracts of land and still come up with the same value there is no cost to the Federal Government.

Mr. HALL. Mr. Speaker, another question—

Ordinarily in such bills there is a statement written into the legislation stating that miscellaneous receipts recovered will go to the U.S. Treasury. Is there any significance in the fact that the requirement for revenue received hereunder in this exchange is omitted from the bill?

Mr. POAGE. There will not be any revenue received by the Federal Government, nor paid out by the Federal Government, for that matter.

The Federal Government years ago granted certain lands to the State of South Carolina; that is, to their forestry department. It was provided if they ceased to use this land for these specific purposes it should revert to the Federal Government. The State of South Carolina finds that block A, which they received from the Federal Government, is substantially of the same value of block B, which belongs to John Doe, and that block B would serve their purposes

much better than block A. They, therefore, desire to transfer the land with Mr. Doe. They cannot make the transfer without this legislation.

This legislation merely permits them to make the transfer. There is no cost to the Federal Government. There are no receipts to the Federal Government.

Mr. HALL. Mr. Speaker, the gentleman's words are very reassuring, but the third requirement in the bill itself, written into the legislation, requires the Secretary of the Interior to convey mineral interests of the United States in such tract to the Commission at "fair market value," or \$1 per application, where the Secretary determines there is no active mineral interest. So, there could be funds involved here. Such a statement, it seems to me, that they would be recovered to the Treasury would be apropos in the event that the requirement numbered 3 was ever implemented.

Mr. POAGE. Unquestionably, there could be a small payment to the Federal Government. I had overlooked that possibility. In this case it would probably be a maximum of \$1 an acre.

This involves 72 acres of land, so the recovery to the Treasury would be about \$72. I am in error saying there is none.

It was such an insignificant amount that it was felt there was no need for writing instruction into the law, because such funds go into the general fund anyway. That is where all of these payments to the Federal Government go under the general law. They go to the general fund, and this would go to the general fund. We do provide in here that the State shall pay to the Federal Government either the market value or, if there is no market value, \$1 per acre for the minerals.

Mr. HALL. The gentleman is satisfied in his own mind that under this proposed legislation and in the event an oil pool is discovered under these interests subsequently that money would be recovered into the Treasury of the United States?

Mr. POAGE. No, sir. No, sir, I am not. I am satisfied that the State of South Carolina will at the present time, if this bill is passed, buy the mineral rights, and if there is no mineral development—and I do not understand that there is in that area—then they will pay the \$1 an acre, which is what is provided for in the bill. Having paid that \$1 an acre for the minerals in this land, they will either hold the mineral rights themselves or transfer them. We do not know which they will do. But if 100 years from now minerals are discovered there, the Federal Government will not have any interest in them. The purpose of this is to keep the minerals with the surface of the land. In the opinion of the Committee on Agriculture, one of the worst things we can do for the farmers all over this country is to separate the surface and the mineral estates on a permanent basis. We recognize there are reasons for separating them temporarily, but we see no reason for making a permanent separation between the minerals and the surface estate, because if you do, you will have all of the minerals of the United States

owned probably in a few large centers and none owned by the individual land-owners. We are trying to keep the minerals with the land.

Mr. HALL. Mr. Speaker, I object very much to the failure to include the recovery into the Treasury of these moneys, but in view of the lucid explanation of the gentleman from Texas and his expertise in these matters, and his statement that it is a swap of what is generally determined to be comparable land values, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 18207

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of subsection (c) of section 32 of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1011(c)), the Secretary of Agriculture is authorized and directed to release on behalf of the United States, with respect to the following-described lands, the condition contained in the deed dated June 28, 1955, between the United States of America and the South Carolina State Commission of Forestry, conveying, pursuant to such subsection, certain lands, of which such described lands are a part, to such commission, which requires that the lands conveyed be used for public purposes:

A tract consisting of approximately seventy-two acres, being a portion of the five-hundred-and-ten-acre tract conveyed by such deed dated June 28, 1955, which is bounded on the south by the State Forestry Commission, on the east by McCray's Mill Club and E. T. Gullede, on the north by the State Highway Numbered 763, and on the west by an unpaved county public road known as the Brunt Gjn Road.

Sec. 2. The Secretary of Agriculture shall release the condition referred to in the first section of this Act only with respect to the lands comprising the tract of land described in such section (containing approximately seventy-two acres) and only after the Secretary of Agriculture and the South Carolina Commission of Forestry have entered into an agreement in which such commission, in consideration of the release of such condition, agree that the lands with respect to which such condition is released shall be exchanged for lands of comparable value and that the lands so acquired by exchange shall be subject to the condition with respect to the use of such lands for public purposes, contained in the deed referred to in the first section of this Act.

With the following committee amendment:

Page 2, line 13, delete all of section 2 and insert in lieu thereof the following sections:

"Sec. 2. The Secretary shall release the condition referred to in the first section of this Act only with respect to lands covered by and described in an agreement or agreements entered into between the Secretary and the South Carolina Commission of Forestry in which such State agency, in consideration of the release of such conditions as to such lands, agrees that the lands with respect to which such condition is released shall be exchanged for lands of approximately comparable value and that the lands so acquired by exchange shall be used for public purposes.

"Sec. 3. Upon application all the undivided mineral interests of the United States in any parcel or tract of land released pursuant to this Act from the condition as to such lands



Public Law 90-520
90th Congress, S. 3687
September 26, 1968

An Act

82 STAT. 873

To direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain lands to the State of Ohio, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of subsection (c) of section 32 of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1011(c)), the Secretary of Agriculture is authorized and directed to release on behalf of the United States with respect to lands designated pursuant to section 2 hereof, the condition in a deed dated January 30, 1957, conveying lands in the State of Ohio to the State of Ohio, which requires that the lands so conveyed be used for public purposes and provides for a reversion of such lands to the United States if at any time they cease to be so used.

SEC. 2. The Secretary shall release the condition referred to in the first section of this Act only with respect to lands covered by and described in an agreement or agreements entered into between the Secretary and the State of Ohio or an authorized agency of the State in which such State or agency, in consideration of the release of such condition as to such lands, agrees that the lands with respect to which such condition is released shall be exchanged for lands of approximately comparable value and that the lands so acquired by exchange shall be used for public purposes.

SEC. 3. Upon application all the undivided mineral interests of the United States in any parcel or tract of land released pursuant to this Act from the condition as to such lands shall be conveyed to the State of Ohio for the use and benefit of the State by the Secretary of the Interior. In areas where the Secretary of the Interior determines that there is no active mineral development or leasing, and that the lands have no mineral value, the mineral interests covered by a single application shall be sold for a consideration of \$1. In other areas the mineral interests shall be sold at the fair market value thereof as determined by the Secretary of the Interior after taking into consideration such appraisals as he deems necessary or appropriate.

SEC. 4. Each application made under the provisions of section 3 of this Act shall be accompanied by a nonrefundable deposit to be applied to the administrative costs as fixed by the Secretary of the Interior. If the conveyance is made, the applicant shall pay to the Secretary of the Interior the full administrative costs, less the deposit. If a conveyance is not made pursuant to an application filed under this Act, the deposit shall constitute full satisfaction of such administrative costs notwithstanding that the administrative costs exceed the deposit.

SEC. 5. The term "administrative costs" as used in this Act includes, in addition to other items, all costs which the Secretary of the Interior determines are included in a determination of (1) the mineral char-

Ohio.

Land use condition, re-lease.

50 Stat. 525;

56 Stat. 725.

Land exchange requirement.

Mineral interests.

"Administrative costs."

acter of the land in question, and (2) the fair market value of the mineral interest.

SEC. 6. Amounts paid to the Secretary of the Interior under the provisions of this Act shall be paid into the Treasury of the United States as miscellaneous receipts.

Approved September 26, 1968.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 1847 accompanying H. R. 18033 (Comm. on Agriculture).

SENATE REPORT No. 1379 (Comm. on Agriculture & Forestry).

CONGRESSIONAL RECORD, Vol. 114 (1968):

July 19: Considered and passed Senate.

Sept. 16: Considered and passed House, in lieu of H. R. 18033.